

In The United States District Court For The Middle District Of Pennsylvania

Gartor K. Brown

V.

Gildea, et al.,

FILED
SCRANTON

SEP 12 2018

NO. 3:18-CV-1527

PER 
DEPUTY CLERK

Motion For A Temporary Restraining Order And A Preliminary Injunction

Facts So Far

Plaintiff Gartor Kiki Brown through Pro Se is currently housed at SCI Huntingdon in the B Hall. Plaintiff send out a 58 page complaint accompanied by a motion For Temporary Restraining order and Preliminary Injunction. Plaintiff failed to file a Brief or Declaration. This was send out on 07/25/18. Plaintiff is claiming after this on 07/26/18 he was subject to retaliation at the hands of defendants after a c/o Plorink placed a foreign like sharp metal in his dinner tray in which he swallowed while eating. Plaintiff was then left to choke. Other inmates would kick their doors to get Brown medical attention. Brown would not be taken out his cell despite talking to a nurse kept over in which a officer told her he's faking. A inmate next door to Brown flooded his cell to get Brown help. Brown was taken out his cell and put into another cell with no heat this section is called bluesing (see complaint) when officers put inmates in a cold freezing cell with no heat bed, clothing, food water, ect. This would impact Brown from filing a Brief.

Plaintiff would file an extension of Restraining order motion on 08/16/18 along with exhibits A-M1-8, A-N1-9, these Exhibits were directed to both motions - all other exhibits were directed to his complaint. Plaintiff failed to file a Brief for his extension motion.

Pursuant to Federal Rules of Civil Procedure (Fed. R. Civ. P.) 7.5 Brown's first motion could be withdrawn for failing to file a supporting Brief in which is the reason for this motion. If by reason of Federal civil procedure rules Plaintiff first Motion For Temporary Restraining order and Preliminary Injunction is withdrawn for failure to file a brief in time; then The Honorable Court should ~~accept~~ ^{grant} this motion as substitutional because this motion is accompanied by a Brief and Declaration.

2 Upon the Complaint, Plaintiff's supporting affidavits memorandum of Law submitted herewith, it is ORDERED that defendants LT. Maxwell, LT. Snyder, C/o Crowford, C/o Harris, Eric Parsons, C/o Johnson, Sgt. Anders, LT. Dunkle, LT. Vunker, C/o Fochtman, LT. House, Unit Manager Kendrick, Mandy Sipple, C/o Kovick, LT. Eberling, Kevin Kauffman, C/o Evans, C/o Garlik, Sgt. Rhodes, Sgt. J. Neumann, Miss Fone, S. Ellenberger, C. Green, Sgt. Moore, C/o Myers, Counselor Richards, Sgt. Heaters, C/o Smith, Goss, Cousins, Nurse Hallie, Nurse Trile, Nurse N'Kie, P.A. Eric, P.A. Gomes, P.A. King, Andrew Sanchez, Paula Price, Dr. Kalada, Dr. Kallmen: in which are all S.C.I. Huntington defendants show cause in Room _____ of the United States Court House at 235 North Washington Avenue P.O. Box 1148 Scranton P.A. 18561. On the day of _____, at _____

o'clock, why a Preliminary injunction should not issue Pursuant to Rule 65(a) Fed. R. Civ. P. enjoining the said defendants, their successors in office, agents, and employees and all other persons acting in concern and participation with them; IT IS FURTHER ORDERED effective immediately, and pending the hearing and determination of this matter that defendant transfer Plaintiff to a different state institution out of the county of Huntington so that Plaintiff is not subject to any more abuse, retaliation, assaults, sexual assaults from defendants and inmates also depriving him of medical treatment.

IT IS FURTHER ORDERED that Plaintiff be evaluated by an outside cardiologist and doctor including full x-rays, MRI, cat-scan EKG ect... Follow up with physical therapy and or surgery to any serious findings; Pursuant to his heart conducting numbness in his head ect...

IT IS FURTHER ORDERED that (John Wetzel) address Policy # (2) two in Plaintiff's complaint see page (33) Pursuant to DC - ADM 008, Prison Rape Elimination Act addressing homosexuals safety or accommodating them Pursuant to housing if they have claims of or a history of being sexually assaulted. This Policy should not be discretion base in which officers may be free to abuse their discretion by housing these inmates with violent inmates such as they did Brown. Brown is asking for a Preliminary Injunction on this Policy.

IT IS FURTHER ORDERED, that Brown also seeks Preliminary Injunction on Municipal Policy # 3 in his complaint see page (36)

DC - ADM 803 Mail and incoming Publications Procedures postage and copying. Section (1) one of this Policy Pursuant to Anticipating postage for indigent and copying, Brown's claims the lack of a alternative in this Policy is discriminate against indigent inmates and puts a restraint on adequate to search or adequately processing claims. Policy reads as An indigent inmate may anticipate on his or her account, postage for legal mail, to include expunction of Grievances, and copying charges of up to \$10.00 per month. Under no circumstances, shall the Business Manager (designee) approve requests in excess of \$10.00 per month.

IT IS FURTHER ORDERED, that this order to show cause, and all other Papers attached to this application, shall be served on defendants, the United States Marshals Service is hereby directed to effectuate such service.

Date _____

United States District Judge

In The United States District Court For The Middle District Of Pennsylvania

Gantor K. Brown

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No. 18-CV-1527

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Memorandum OF Law In Support

OF Plaintiff's Motion For A Temporary Restraining Order And Preliminary Injunction statement of the case

This is a civil rights action brought under 42 U.S.C. 1983 by a state prisoner Gantor K. Brown NAG401 At SCI Huntingdon. Plaintiff claims are against defendants from three different State institutions SCI Greater Ford, SCI Camp Hill, SCI Huntingdon; for Failure To Protect, Excessive Force, Retaliation, Municipal Policy #1 Inadequate medical treatment, Failure to train Discipline, & SUPERVISE, Municipal Policy #2 DC-ADM 008 Prison Rape Elimination Act addressing homosexuals safety of accommodating them Pursuant to housing, Municipal Policy #3 DC-ADM 803 Inmate Policy, Municipal Policy #4 Prison mail Policy, Inadequate Access to the courts, Procedural Due Process, Substantive Due Process, Deliberate Indifference, Cruel and Unusual Punishment, Negligence, Medical Malpractice, Assault & Battery, Damage of Property, Emotional Distress. Plaintiff is seeking Preliminary Injunction on Policy # 2 & 3, Plaintiff is also seeking Preliminary Injunction on getting evaluated by an outside cardiologist, Physician for physical and a transfer out of SCI Huntingdon, Citing Plaintiff's 58 Page Complaint.

Statement Of Facts

As stated in the declaration submitted with this motion, Plaintiff was sexually assaulted two times at SCI Camp Hill on 10/1/17 and 10/11/17, and at SCI Huntingdon on 2/1/18 while in the RHU. (Dec at p 2, 13). Plaintiff was denied medical treatment. First at the Dec of SCI Greater Ford Plaintiff told a Sean Doe about his heart condition and his Asthma and medication in prison on the streets, she told Plaintiff he would need a court order. At SCI Camp Hill Plaintiff was also deprived medical treatment after two sexual assaults in which officials would transfer him a day after leaving the RHU. (Dec at p 9, 14) while at SCI Huntingdon, Plaintiff would also be to deprivation of medical treatment after he made officials aware of his serious condition. Officials would fail to protect Plaintiff from multiple inmate inmate assaults and sexual assaults (Dec at p 2, 3, 14). Brown would also be subject to assault from officials because of his claims and grievance writing.

8 Officials would ask Brown to take a cell after he wrote a grievance on security members for forcing him to write a statement; after Brown refuse he would be sent to the RHU. Then officials would force Brown in a cell with inmate Jackson then passing him personal mail and telling him Brown history of sexual assaults. Officials then forced Brown to go in a cell with a inmate Allan a violent gang member, also a liar that was in the RHU for slapping another inmate over cookies; although they were aware that this inmate and Plaintiff was enemies. (Dec pg 2,3,4)

Brown would also be subject to condiction of confinement, while in the RHU defendants consistently put officials around him he was government out of retaliation and so they can retaliate against Brown. This custom would cause Brown to be subject to deprivation of his trays, tempering of his trays, "Bluesing" a custom so common it's got a nickname when officials put inmates in a freezing cell with nothing for week deprives them of water, food, bed, toilet paper, sheets, blanket etc. (Dec pg 3,4,5)

Plaintiff would also be subject to officials and inmate Allan gang member friends around him to harass threaten, and assault him. Brown was subject to these inmates banging his cell wall and wait for weeks with hard cover books, tools to deprive him of sleep. (Dec pg 4) Brown would also be subject to inadequate access to the courts and damage of his property in which would cause defendants from civil cases to be dismiss. officials would refuse to send out Brown legal mail and or lawyer with his incourt and out going legal papers.

Brown's medical symptoms are such infants heart pain and acute Asthmas attacks Neuralgia Pain, acute Scoliosis causing Chronic back pain impairing Brown from moving around, Numbness on the left side of his head that will not go away down to his shoulders and hands around Brown nose still heart causing sharp pain making it hard to breathe poor eye sight astigmatism making it hard to see the lens dislocation of his eye causing light rays and double vision, Brown still have suicidal rills pain.

The medical department has deliberately ignored Brown's on going symptoms causing deform in hearing and permanent impairment.

ARGUMENT

In determining whether a Party is entitled to a temporary restraining order or a Preliminary Injunction, Courts generally consider several factors: whether the Party will suffer irreparable injury, the "balance of hardships" between the Parties, the likelihood of success on the merits, and the public interest. Each of these factors favors the grant of this motion.

A The Plaintiff Threatened with Irreparable Harm
Plaintiff is currently housed on G-A the same block in which he was sexually assaulted; Plaintiff can't not leave his cell with out threats from The Attacker gang member friends. The officials that do the moves deliberately put these gang members around Plaintiff as so an inmate Killer or "S." Plaintiff told officials that he was getting threats from this inmate, telling him he will kill him for telling on his friend, they ignored Brown. Brown was just recently attack by this inmate while coming back from medical sea. Extension of restraining order motion in which Plaintiff was kicked in the chest while cuffed by this inmate, then demand medical attention. This inmate is still feel sick down from Brown.

Brown is subject to deprivation of trays and tempering of his trays
A c/o Plocinik had put a sharp metal in Brown's tray after he send out his complaint medical claim they was not aware that Brown was choking after eating the tray on 7/26/98 in which he was ignored by Plocinik and others while choking. These official would tell a nurse that came on to give another inmate medication that Brown was faking. It would take medical a week to do (X-rays) on Brown in which is contrary to the medical policy NY-ADM 820; Brown would tell the medical department he was feeling sharp pain in and around his vital organs and when he used the bathroom he would bleed; the medical department told Brown they hope he ~~was~~ spit it out although it's serious he would need an court order to get it out surgically. The medical department claimed the metal was still in Brown after two more X-rays but they would do nothing, they have not even respond to Brown's grievances on the matter. After the 4th X-ray they claim it had passed but did nothing address Brown's internal bleeding. This same c/o is still doing Brown's trays.

5 First Amendment retaliation claim on Prisoner for the exercise of his constitutional rights is unconstitutional see *Mitchell v Horn* 318 F.3d 523, 529-31 (3d Cir 2002) or *Rauwer v Horn* 211 F.3d 330 333-34 (3d Cir 2001).
The medical department is also violating Plaintiff's Eighth Amendment rights by failing to treat his injuries see *Estelle v Gumble*, 429 U.S. 105, 1975, et. 285 (1976).
In order to state a claim that the medical care violated a constitutional right, a Plaintiff must Plead that his medical needs were serious and that Prison officials were deliberately indifferent to that need.

Officials refuse Brown EKG's or cardiogram to see what's going on with his serious heart condition; they also fail to evaluate Brown or treat him after multiple sexual assaults; they also fail to give Brown breathing treatment and a inhaler or respirator for his Asthma. They are now ignoring Brown's internal bleeding from a sharp metal.

Officials are also warning Brown up claiming he's refusing to go to Population. Defendants are always Brown's attacker is still in the institution and also murder Jackson and other gang members that has been threatening Brown. They are deliberately attempting to get Brown assaulted by forcing him to go to Population and ignoring the dangers from his attacker and gang members. Brown has just suffered an assault by a gang member in which officials ignored.

The Eighth Amendment requires Prison officials to protect prisoners from violence *Bistrain v Levi* 696 F.2d 352, 367 (3d Cir. 2012) to establish a failure to protect claim Plaintiff must show he was incarcerated under conditions posing a substantial risk of serious harm. Prison officials acted with deliberate indifference official deliberate indifference caused the Prison harm.

Plaintiff has not showered or gone to the law library in over (150) days. Plaintiff has started to develop black spots from watching up in his little sink.

B) In deciding whether to grant TRO's and Preliminary Injunctions, courts ask whether the suffering of the moving party if the motion is denied will outweigh the suffering of the non-moving party if the motion is granted see *Mitchell v Cidomo* 118 F.2d 804, 808 (2d Cir. 1941) (holding that dangers posed by Prison crowding outweighed state's financial and administrative concerns. In this case Plaintiff have on going serious medical condition and symptom in which officials are free to ignore. Plaintiff is a homosexual inmate that has been subject to multiple sexual assaults and assaults at the hands of inmates and staff. Officials are deliberately indifferent to this fact in still attempting to put Plaintiff attacker around him. Plaintiff is also subject to conditions of confinement. Plaintiff has not shower for over (150) days officials are depriving Plaintiff of his showers and food. Plaintiff is housed on the same PHU unit in which he was just sexually assaulted and just suffered another assault while cuffed on the wall back from medical x-rays in which a sharp metal was in him from a c/o Nocnik Plaintiff in his dinner tray after he send out a 58 page complaint and he was told not to.

The "suffering the defendants will experience, if the court order is granted would not be compared to the hardship that Brown is going through such as putting him on a bus and transferring him to a different state institution outside of Delaware County. Taking him to see a cardiologist and physician for evaluation. Putting him in a safer housing or institution and or medical etc."

C) Plaintiff will have success on the merits. Plaintiff has rulings in his favor less serious than what he is going through now in other courts, see *Brown v Moore* 16-CV-3987 when Prison Dr. Phillips Summary Judgment was denied after Brown was hit with a hard tray by an inmate and suffer another assault days later by that same inmate breaking his jaw in which defendant Dr. Phillips refused to treat him.

Or see *Brown v Delaware County Prison Board of Inspectors* 16-CV-2485 this claim was dismissed by the Eastern District after Brown claimed he was put in a cell with out bed, food, water, toilet paper, sheets blanket for a week in which Brown claimed he told the Warden Henry Stader but was ignored. This was one of Brown's first claims in the courts, the Court error by dismissing Brown's claim in which defendant's motion to dismiss was granted, dismissing the case. The court of Appeals would reverse the dismissal claiming the (Warden) was liable.

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Declaration IN Support OF Plaintiff's Motion For A Temporary Restraining Order And Preliminary Injunction

- 1) Plaintiff complaint should also stand as a supporting Declaration
- 2) I am Gantor K. Brown, Plaintiff in this case. I make this declaration in support of my motion for a temporary restraining order and a preliminary injunction to ensure a transfer to another state institution out of Huntington county. To ensure necessary medical care. To address municipal policy ADM 008, and municipal policy DC-ADM 903.
- 3) As set forth in the complaint in this case I was sexually assaulted two times at SCI Camp Hill on 10/1/17 and 10/2/17 while in the RHU at camp Hill.
- 4) I was admitted to SCI Huntington a day after leaving the RHU at camp Hill on 10/23/17. At the door I told defendants Maxwell and Sipple in detail what happened.
- 5) Plaintiff was never treated for his serious symptoms after meeting with defendant nurse Nike, Paula Price, and P.A. King.
- 6) Brown was transfer back to camp Hill to talk to state police in which he subject more assaults by his cellmate wilson after he did not want an homosexual inmate as a cellmate.
- 7) Brown was again deprived medical attention after going to medical with a broken nose and blood all over him. Plaintiff was then send by to SCI Huntington after meeting with P.A. State Police.
- 8) Plaintiff again meet with LT. Maxwell and Kaufman, House, Eberling. Plaintiff told defendants that he was a homosexual and he had previous characteristics that he talk like a girl and such his hips when he walks, and wears eye liner; that he would not feel safe with a cellmate. Maxwell expressed that he use to work at camp Hill and was not happy with Brown for bringing allegations against his friends. Plaintiff was then force to sign a double bunking sheet by defendants.
- 9) Brown meet with P.A. Gomes on 11-15-17 after multiple sock calls Brown asserted to Gomes that he was a victim of sexual assault and he had been deprived medical attention, spots were bleeding from the anal, on going heart conditions, acute asthma attacks numbness on the left side of his head and through his left shoulders and hands, left leg pain, Abdominal pain, pain in ribs. Gomes failed to evaluate Plaintiff's injuries in which he only conducted an anal exam. Gomes deprived Plaintiff of pain medication. Paula Price was also present at this meeting.

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- 101) Plaintiff would meet with Dr. Kalada on 11-30-17 after writing another sick call. This Dr. asserted to Brown "You are not here for evaluation just X-rays to make sure you have no severe fractures." Plaintiff told this Doctor he was in alot of pain. That the numbness on the side of his head would not go away; he asserted Brown never given him medication. Dr. Kalada explained "if you don't have any life threatening injuries were you going to die right now they won't let me treat you!"
- 11) Brown was written up 12-1-17 for refusing a cell after he wrote a Grievance on security officials for forcing him to write a statement asserting he's ok going to population.
- 12) Brown got two more write ups for refusing a cell while in the Rith. Brown was put in a cold cell with nothing for days causing severe frost bites hypothermia, this custom is so common it has a nickname "bluesing or getting bluesed."
- 13) Plaintiff was taken out that cell then put into a cell smear with feces in which an inmate was just mased in v.o.c. by Kauffman and Eberling and Unit Manager, in which they called him a whistle blower, in which he would be de Pined of hots by c/o Plochnik and Fochtman.
- 14) Brown would be forced by in for radiation with a cellmate against his will name Dale Jackson.
- 15) A c/o Kovach call Brown a fascist after an argument + Plaintiff would call a P.R.E.A hotline asserting concern of his safety on the unit.
- 16) c/o Kovach would slip inmate Dale Jackson a personal mail of Brown in which is another custom this was a grievance pursuant to his sexual assault claims at camp Hill. Jackson would give his friend Allan the grievance responds. c/o Kovach would also tell Plaintiff that Plaintiff was gay. Plaintiff grievance was passed around. Both Jackson and Allan started to harass Plaintiff and extort him forcing him to call a family member for \$300. Jack then put a shank to Plaintiff's neck telling him he would kill him if he told. Plaintiff would tell Kovach.
- 17) Brown was assaulted by Jackson on 1-15-18 Brown told Kovach and Aurario after he came out his cell with a bruised nose and contusions, nothing was done.
- 18) Brown next trip to the Rith would cause him more injuries. Brown was again written up for not taking a cellmate while in the Rith. Brown broke down while in a camera cell. Brown meet with LT. Eberling, Kevin Kauffman, Unit Manager Kendrick, and Mandy Sipple and LT Maxwell. He expressed he fear for his safety and he would be a target by other inmates if he took a cellmate. Kauffman told Brown "You should hard never left the house this is jail, inmates get assaulted, sexual assaulted all the time but some weight on and you'll be safe!"
- 19) Maxwell asserted to Brown if you do not take a cellmate force will be used. Brown was forced in a cell with inmate Allan after he told officials Plochnik, Crawford, Sgt Heaster, Anders, Volunteer Kendrick that Allan was an enamee.
- 20) Brown would be assaulted after he enter the cell by inmate Allan.
- 21) During the course of Bems cell 107 Brown would tell Eric Parsons, c/o Harris, Lt. Dunkle, Unit manager Kendrick, LT Maxwell, Kevin Kauffman, Sgt Heaster, Sgt. Anders, c/o Plochnik, c/o Fochtman, c/o Johnson, that he fear for his life, that inmate Allan did not want him in the cell.
- 22) Plaintiff told Kendrick and Parsons and Heaster and others that Allan tried to rape him on 2-6-18 hitting his head on the Poll of the bed hitting him ect. nothing was done to remove Plaintiff.
- 23) Allan would again attack Brown in front of c/o Johnson and Plochnik on 2-7-18 in which they ran off. Allan attacked Brown as if there was sold under the summer. Brown tried to put up a fight but by now he was like a wounded animal. Allan put Brown legs over his shoulders and forced him into a room with no remorse. Plaintiff's Ancestors could here him cry out for help. The soon they started to hit Brown telling him to shut the explosion in and through his anal, that was confirmation that the Cindarys degrading, degrading act was over. Plaintiff started to yell through the doors, he could here inmates saying "get him out of there!" c/o Johnson came back to the door saying "it looks like an animal got stay in here, Plaintiff told Johnson what was going on.

- 23) c/o Fochtman case 1348 cv 00527 in the Document 12 Entered on FL 11/18 Page 9 of 76's a girl "Allan you are the father!" Brown would again ask to be moved Fochtman asserted "WE DO NOT MAKE COURTESY MOVES," "THIS IS NOT THE HILLTON, IT'S HUNTINGDON!" c/o Johnson would come back that he and Anders and others did not want Brown coming out the cell so he could not move him, he would force Brown to give him his Boxers, Sheets, T-shirt, socks, underwear, etc.
- 24) Plaintiff would again be subject to another sexual assault hours later by inmate Allan
- 25) Johnson would claim medical was call and refuse to see Brown. Brown was never seen till almost a week later.
- 26) Brown would get a write up after 48 hours finally let him out for showers in which he refuse to lock in, with Allan telling him "you come back in here I will wait for the time I already have life with nothing to lose."
- 27) Brown was finally seen by medical on the night of 2/14/18. A nurse Trice told Plaintiff a doctor will see you tomorrow she would do nothing to evaluate Brown although she looked very concern.
- 28) Brown was called down on 2/15/18 to a strip cage if was nurse Nikue. Nurse Nikue would take pictures of Brown but she also failed to evaluate him.
- 29) Plaintiff would see a nurse Brad an PA Nantzal they also was scare to even talk to Brown. They also fail to evaluate Brown.
- 30) Brown would see a Dr. Kollman on 2/20/18 Brown told Kollman he was in a lot of pain and was getting deprive medical attention. Brown asserted Abdominal pain, bleeding and bruises in and around his anal, Neurletio Pain, inflammation of ankle and knee, Swollen around the nose, Chronic back Pain, Brown asserted he had just suffered of Asthma attack that he did not have an inhaler, Sciatic Pain in his hip and thigh, numbness along his head down to his shoulders and a bomb on the head and bruised ribs. P.A. King was also in there meeting. Brown also asserted he had passed out from chest pain that he was not getting his breathing treatment or ekg's or on the way to get his cardiologist from the streets had prescribed him. Both defendants told Brown he would need a Court order to see a specialist, he agree that was under duress on which was another custom. Brown did not get evaluated and eval left untreated.
- 31) Plaintiff would argue meet with the state police and Lt. Maxwell asserted all that happened or he tried Lt. Maxwell would not let Brown tell the state police that he was already aware of all this about Brown off over 10 times to control what he told them.
- 32) After this meeting Maxwell would alert inmate Allan that Brown meet with the state police.
- 33) After this Allan would tell members in his gang to "attack" Brown on cote. Brown was kept on the same unit with inmate Allan but a different block. Inmates from Allan gang would hang on Brown's cell wall for three weeks straight keeping Plaintiff up all night. They would yell "Go to Population we are going to kill you n****r!" "We have money on your head!" "We will shit you down if you come out for work!" "F****t that n****r!" "homosexual!" "How does your ass feel?" "We are going to stab you in the face if you go to Population and send you out for work!" Brown would tell Dr. Placnik, Fochtman, Kendrick, Maxwell, Garlik, Wevant and other, and nothing would be done. The gang member would take books, skippies, soap in a sock and object they could use to bang on Brown's wall, vent to keep him up. This would go on all day. Officials would deliberate bring Allan on Brown's block for showers although they were showers, on the block of the attacker. Allan would then send messages to gang members telling them "It's a rat, I fucked him and he meet with the state police" Brown would write grievances and then miss Gree what was going on, but all Brown grievances would get denied by (Gree) and Kauffman. Brown would appeal it to central officials, the only that was responded to was that they would claim they did not have to respond because it was miss due date.

- 34) Every time ~~See 3-18-18 01627-1011 Document 12 Filed 09/12/18 Page 10 of 76~~ Muder, Killer or 'P', white, slake, Flowers, ect. Officials would even bring Dale Jackson Brown's old cigarette to the hole in which he told Brown about to Population I will kill you.
- 35) Officials was aware of all this but would still write Brown up for refusing to go to Population, c/o Fichtman would write Brown up and deprive him for his frays, c/o Plocinik would also write Brown up and deprive him for his frays. Officials would call Brown a rat.
- 36) On 2-25-18 Brown would be cornered by c/o Plocinik and LT. Eberling while he was in the Probate room for Probate exchange. Officials started to ask him about his grievances and his sexual assault claims. He was then thrown in the back by c/o Plocinik then hit by a man in a white shirt. LT. Eberling started to hit and kick Brown in the face and ribs. Plaintiff started to bleed. c/o Plocinik grabbed plaintiff's genitals and started to yell at him calling him a homosexual. He then told Plaintiff "this is were I bring your trav to temple with it there are no cameras in here!" Plaintiff would write a 911 voice after the assault. Officials would fail to respond calling Plaintiff more retaliation from officials.
- 37) Brown mental health has been ignored by Goss and cousins both with Ph.Ds. Brown told both defendant that he was diagnosed at female hospital and Harrison House with Bipolar and Schizophrenia while on the streets, while at George W. Hill he was diagnosed with depression Brown told both defendant he was on Wellbutrin, Risperdal and Depote. He then told cousins he had been sexually assaulted in which he was feeling down and gray, sweating more and more, his heart was beating faster, when other inmates come around him. He would cry out of fear of being harm to the point of sleeping under his bunk. Panic attacks ect... They both would refuse to evaluate Plaintiff or put him on the medication he was on.
- 38) Municipal Policy #2
Brown is claiming there is nothing standing in the DC-ADM 008 "Prison Rape Elimination Act addressing homosexuals safety or accommodation them pursuant to housing if they have claims of or a history of being sexually assaulted. Brown claims this Policy is discrimination, in which there is a link between Brown being a rat and officials abusing their discretion in housing him. Regulators should have a straight Policy they would have to follow if a homosexual is admitted with one of the major state institutions and has claims of being sexually assaulted or a history of such. DC should not force those inmates in the cells with other inmates in which they might be subject to assault in which was the case with Brown. Brown is claiming that the Government's Policy was the proximate cause to his injuries. DC-ADM 008 Subsection B-K reads "The transgender or intersex inmate shall be informed of the GRC's privacy and housing recommendations within 48 hours of the GRC meeting, and be permitted the opportunity to concur or object to the recommendation." 5) "I determine whether to assign a transgender inmate to a facility that is consistent with his/her gender identity, and in making other privacy housing and programming assignments, the Department shall consider on a case-to-case basis, whether a placement would ensure the health and safety of all impacted inmates and problems. Brown is claiming he was housed in a level five prison for a non-violent crime. He made officials aware he was a homosexual; it was also transparent because of the way he walks and talks, switching his hips. Brown wears eye liner and has other feminine characteristics and is at best 120 and looks like he's 16 years of age with no facial hair. Officials then would force him in cells very liters that are violent. Inmate Allan was in the Pit A for stabbing another inmate over cookies and he is a liter. Brown only have two years. Brown other attack while at Camp Hill had (12 A1 assaults) and was in jail for (rape) at no time did Policy makers consider Brown's safety pursuant to his housing in which was the cause of his injuries.

DC - ADM 803 Mail and Incoming Publications Procedures Postage and Copying. Section (1) one of this Policy Pursuant to Anticipating Postage for indigent inmates Violated Brown's due Process Access to the courts. Brown was an inmate with money on his inmate account. After his second trip to the RHLO and his claims of sexual assaults officials restraint all his personal mail from family members, because the lack of communication from his love ones his account would go indigent.

Officials won then deprive Brown of Manila Envelops and Paper also limiting him to \$10.00 a month in Postage also include Copying. Brown would ask officials for an alternative because he had multiple pending litigations and criminal appeals. Officials would denied Brown of any alternative in asserting this Policy.

An indigent inmate may anticipate on his or her account, Postage for local mail, to include exhaustion of Grievances, and Copying charges of up to \$10.00 per month. "Under no circumstances, shall the Business Manager's /designee approve requests in excess of \$10.00 per month. Officials would stop Brown's "Court order" requests from going out the Prison because of this Policy claiming he had went over \$10.00. This would impair Brown and cause claims and defendants, to be dismissed although Brown would recover in most cases this caused Brown hardship and impair his ability to litigate or conduct adequate research.

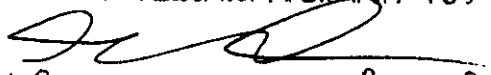
40) Brown is claiming that he has very serious claims in which would rub defendants the wrong way. Brown is claiming there are over 40 defendants at SCI Huntington Brown law or litigation would give them every reason to retaliate against him more. See Brown Extension of Restraining order motion in which he claims he was last assaulted by an inmate on his way back from medical. Brown was also asked up by an LT Yunker and hit after meeting with security in which this LT is a defendant; the meeting was brief and Brown was also threaten to stop writing grievances, and to go to Population ignoring the fact that Brown has obvious enemies. Brown was never treated medical after written sick calls for this assault. Brown is claiming he is under imminent danger in which is the reason for this order to show cause. Brown health has worsen because the medical department Refuse to evaluate him for he on going serious symptoms and already diagnose condition from the streets. telling him to "get a court order!"

40) Brown is also asking the Court to withdraw his first Order to show cause for Temporary Restraining Order and Preliminary injunction, that he send out with his complaint, he wish he fail to write a Brief, in submitting this motion only if the Court deem necessary. Brown is sending his Brief for his second motion the Extension of Restraining order motion in which he also send out Exhibits with.

Pursuant to 28 U.S.C. 1746, I declare under Penalty of Perjury that the foregoing is true and correct

08/28/18

Gantos K. Brown NAB401
1100 Pike St Huntington RA. 16554



Certificate of Service on Back of Page

Certificate of Service

I hereby states Garter K. Brown, Plaintiff in this
Serious matter. On 8 day of

78 20 18 The

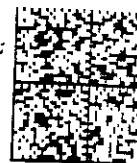
Following motions For temporary Restraining order And Preliminary

Injunction with Supporting Memorandum of Law And
Declaration was Place in to the U.S. Mail Box First Class
Postage directed to the address below.

United States District Court Middle District
235 North Washington Ave
P.O. Box 1148 Scranton, PA 18501

Dated 08/28/18

Garter K. Brown WA6401
1100 Pike St. Huntington PA 16554



United States District Court
235 North Washington Avenue
Scranton, PA 18501
Box

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★ ★ ★
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INITIAL REVIEW RESPONSE

Exhibit 02

SCI Camp Hill
2500 Lisburn Road
Camp Hill, PA 17001

18-1527

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows:

Inmate Name:	Brown, Gator	Inmate Number:	NA6401
Facility:	Camp Hill	Unit Location:	E-A-3
Grievance #:	696853	Grievance Date:	9/9/17
Publication (if applicable):			
Decision:			
<input type="checkbox"/> Uphold Inmate <input checked="" type="checkbox"/> Grievance Denied <input type="checkbox"/> Uphold In part/Denied in part			
<i>It is the decision of this grievance officer to uphold, deny or uphold in part/deny in part the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.</i>			
Response:			
<p>I have investigated the issues you've raised in your grievance, in which you claim female staff members should not be observing male inmate showers on A-Block. You also claim you were forced to use a shower in which the door did not close properly. You are seeking an unknown amount of monetary compensation and punitive damages.</p> <p>I have spoken to the officers on both the 6-2 and 2-10 shifts of A-Block. I have also spoken to Unit Manager Srebro regarding your concerns. The officers claim that there was a shower door on the top tier of the B-Side of A-Block that had a broken hinge at the bottom, but that it was fully functional and could be used for showers without anyone seeing the inmate inside. Unit Manager Srebro also informed me that as of the week of September 18th, all showers on both tiers of A-Block had operable shower doors in place.</p> <p>There is no way that any staff member should be seeing you naked on the tier, as by policy you are required to wear a t-shirt, undershorts and have a towel wrapped around your waist on the way to and waiting for the showers. Female staff are permitted to observe showers for this reason.</p> <p>Your grievance is therefore denied and you will not be receiving any monetary compensation and punitive damages.</p>			
Signature:	<i>D. M. Zolotare</i>		
Title:	Unit Manager		
Date:	10/6/17		

cc: Facility Grievance Coordinator/th
DC-15

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 1 – Grievances & Initial Review

Issued: 1/26/2016
Effective: 2/16/2016

Attachment 1-D

FOR OFFICIAL USE
6416853
GRIEVANCE NUMBER

10/10/17

TO: FACILITY GRIEVANCE COORDINATOR Deb Alvord	FACILITY: Camp	DATE: 10/12/17
FROM: (INMATE NAME & NUMBER) Garth Brown NPH401	SIGNATURE OF INMATE: [Signature]	
WORK ASSIGNMENT: [Blank]	HOUSING ASSIGNMENT: A Block	

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

[illegible]

B. List actions taken and staff you have contacted, before submitting this grievance.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date _____

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy**PINK Action Return Copy**

Form DC-141 Part 1 Rev. 11/2016		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS		C 084585	
<input checked="" type="checkbox"/> MISCONDUCT REPORT <input type="checkbox"/> OTHER <input type="checkbox"/> DC-ADM 801 INFORMAL RESOLUTION					
DC Number NA 6401	Name Brown	Institution SCIH	Incident Time 24 Hr. Base 1130	Incident Date 12-5-17	Date of Report 12-5-17
Quarters GA 1015	Place of Incident GA 1015				
OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)					
DC Number	Name	I	W	DC Number	Name
MISCONDUCT CHARGE OR OTHER ACTION Class I #35 Refusing to obey an order.					
STAFF MEMBER'S VERSION					
SIR, on the above date and time this officer gave inmate NA 6401 Brown A direct order to move and except A cellmate. Inmate Brown refused to obey this order by stating that he could not take A cellmate because he is homicidal.					
IMMEDIATE ACTION TAKEN AND REASON Inmate taken to room 1015 until seen by hearing examiner. Inmate informed.					
PRE-HEARING CONFINEMENT					
IF YES					
<input type="checkbox"/> YES	TIME	DATE			
<input checked="" type="checkbox"/> NO	Presently	Confined			
REPORTING STAFF MEMBER SIGNATURE AND TITLE Col Roorman			ACTION REVIEWED AND APPROVED BY RANKING C.O. ON DUTY SIGNATURE AND TITLE Buell Col		
YOUR HEARING MAY BE SCHEDULED ANY TIME AFTER DATE 12-7-17			MISCONDUCT CATEGORY <input checked="" type="checkbox"/> CLASS 1 <input type="checkbox"/> CLASS 2		
TIME 0800			DATE AND TIME INMATE GIVEN COPY DATE 12/5/17		
			TIME 24 HOUR BASE 1510		
			SIGNATURE OF PERSON SERVING NOTICE Col [Signature]		
Notice To Inmate You are scheduled for a hearing on the allegation on the date and time indicated or as soon thereafter as possible. You may remain silent if you wish. Anything you say shall be used against you both at the misconduct hearing and in a court of law, if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you shall be asked no further questions. If you are found guilty of a Class 1 misconduct, any pre-release status you have shall be revoked.					
WHITE - DC-15 YELLOW - Inmate PINK - Reporting Staff Member GOLDENROD - Deputy Superintendent Facility Management					

**Guilty #35 - 15 Days DC
Consecutive**

In Absentia

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The inmate has heard the decision and has been told the reason for it and what will happen.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The circumstances of the charge have been read and fully explained to the inmate.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The opportunity to have the inmate's version reported as part of the record was given.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The inmate has been advised that within 15 days a request for a formal review may be submitted and that this request must contain specific reasons for the review.

NONE
SEE APPENDICES
☒

NAME(S) OF HEARING EXAMINER/COMMITTEE

S. Ellenberger
Hearing Examiner

Hearing Report and all appended information must be signed. Signature indicates finished report with appendices.


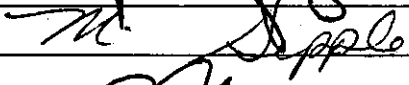

[Signature]

Cc: DC-15, Inmate Cited, Staff Member Reporting Misconduct, Deputy Superintendent

Exhibit P3

DC-141, Part 2 E		COMMONWEALTH OF PENNSYLVANIA	
Misconduct Hearing Appeal			
DC Number	Name	Facility	No. From Part 1
NA4401	Brown	SCPH	054355
<p>Brown had this appeal up in the doors by 12:00 PM on 12-8-17 check the camera, cos did not pick up this appeal till 12-10-17</p> <p>I was found guilty of misconduct number <u>#35</u> on <u>12-7-17</u> (date)</p> <p>by the Hearing Examiner, and I wish to appeal that decision on the following grounds:</p> <p style="text-align: center;"><u>Check Area(s) Involved</u></p> <p><input type="checkbox"/> a. the procedures employed were contrary to law, Department directives, or regulations;</p> <p><input type="checkbox"/> b. the punishment is disproportionate to the offense and/or</p> <p><input type="checkbox"/> c. the findings of fact were insufficient to support the decision.</p> <p>Below is a brief statement of the facts relevant to my claims(s). It includes the identity of all persons who may have information that may be helpful in resolving this matter.</p> <p><u>This class one #35 contradicts Doc policy through the 801 & reSection of classification 17.21. Also Brown's claims of sexual assault & his symptoms by is suffering pursuant to the fire has not been addressed by the physc department. Brown's claims of fearing for his life, depression, Anxiety (RAD), not trust, another inmate a physical injuries has been overlooked. Through his meeting with four different sphyr member there has not been any relief, relief or discussed or medication. 17.21 protects Brown, in which the Doc promote inmates to tell officials if they are having homicidal thoughts, to prevent them from acting it out. SCPH has tradition has a custom of taking pass that & writing inmates up for sharing those thoughts. Brown has made sphyr aware of his thoughts, on 12/1/17 he made aware, in which he was put in an observation cell. Brown never saw a member from sphyr nor was he assigned out the observation cell before officials began attempting to move him in the cell with another inmate, despite other open cells on the same block. All policy in the 801. 802 was disregarded. Brown packed his shift came to the door to cut up then made officials aware again of his thoughts, in which he was writing up disregarding policy, at no time did Brown refuse to obey order. By Brown still being in the observation cell & had not meet with any medical or sphyr personnel officials what out the scope of their duty by attempting to get Brown in the cell with another inmate. The only reason Brown was written up because by policy he is protected from officials putting him in the cell with another inmate base on his thoughts, in which officials are aware</u></p> <p><u>12/8/17</u></p> <p>Inmate's Signature _____ Date _____</p>			

Exhibit P4

DC-141, Part III Program Review Committee Action		COMMONWEALTH OF PENNSYLVANIA Department of Corrections			DEC 19 REC'D
<input checked="" type="checkbox"/> Misconduct Appeal		<input type="checkbox"/> Periodic Review		<input type="checkbox"/> Other	
DC Number NA6401	Name Brown, Gator	Facility SCI H	Date of Review 12/18/17	No. from DC-141, Part 1 C084585	
Program Review Committee's Decision and Ratio :ale					
P.R.C. Formal Review of Misconduct # C084585					
<u>BASIS OF APPEAL:</u>					
<p>A. The procedures employed were contrary to law, Department directives, or regulations.</p> <p>B. The punishment is disproportionate to the offense; and/or</p> <p>C. The findings of fact were insufficient to support the decision.</p>					
<u>DISCUSSION:</u>					
Inmate Brown is appealing misconduct #C084585 but did not indicate on the DC141 Part 2E on what grounds.					
The Program Review Committee has reviewed the misconduct, and appeal. On 12/05/17, COI Poorman gave inmate Brown a direct order to move and except a cellmate. Inmate Brown refused to obey this order by stating he could not take a cellmate because he was homicidal. Inmate Brown was issued a misconduct for charge #35, Refusing to obey an order. On 12/07/17, a hearing was conducted. Inmate Brown pled not guilty to charge #35. The Hearing Examiner found him guilty of charge #35. He was sanctioned to 15 days DC time for charge #35 (consecutive).					
In conclusion, after reviewing misconduct #C084585 and the corresponding discussion, PRC finds no incident of procedural error, punishment was proportionate to the offense, and the findings of fact were sufficient to support the decision. It is important to note any PREA related concerns need to be addressed with the PREA Compliance Manager, <u>Ms. Sipple</u> . Any mental health related concerns need to be addressed through Mr. Goss, LPM. This information will be forwarded to the PREA Compliance Manager and Mr. Goss for review as it will not be addressed through the appeal process.					
Therefore, uphold the decision of Hearing Examiner.					
Decision Relative to PRC Review					
<input type="checkbox"/> Continue <input type="checkbox"/> Move to AC <input type="checkbox"/> Release to GP <input type="checkbox"/> Release Cell Restriction <input type="checkbox"/> Continue Investigation					
<input type="checkbox"/> Release to Control GRP <input type="checkbox"/> Release Medical <input type="checkbox"/> Release Diag. Center <input type="checkbox"/> Release Sent. Complete					
Decision Relative to Hearing Examiner's Verdict					
<input type="checkbox"/> Reject <input checked="" type="checkbox"/> Uphold <input type="checkbox"/> Uphold-Modify <input type="checkbox"/> Remand back <input type="checkbox"/> Vacate-permit Recharge <input type="checkbox"/> Dismiss					
Names of Program Review Committee Members		Signatures		Date	
J. Spyker, Corrections Unit Manager				12/18/17	
M. Sipple, Classification Program Manager				12/18/17	
B. Brumbaugh, Deputy Supt./Facilities Management				12/18/17	

WHITE - DC-15

YELLOW - INMATE

PINK - STAFF MEMBER REPORTING MISCONDUCT
GOLDENROD - DCFM

EXHIBIT PS

DC-141, Part 2 (E)		COMMONWEALTH OF PENNSYLVANIA	
Misconduct Hearing Appeal			
DC Number NA6401	Name Garfor Brown	Facility SCI 17	No. From Part 1

I was found guilty of misconduct number 0084580 on 12/17/17
(date)

by the Hearing Examiner, and I wish to appeal that decision on the following grounds.

Check Area(s) Involved

☒ a. the procedures employed were contrary to law, Department directives, or regulations;

☐ b. the punishment is disproportionate to the offense; and/or

☒ c. the findings of fact were insufficient to support the decision.

Below is a brief statement of the facts relevant to my claims(s). It includes the identity of all persons who may have information that may be helpful in resolving this matter.

Officials at no time can put an H Code inmate that was in a camera cell under observation for having homicidal thoughts or was homicidal in another cell with a inmate with out any psychological evaluation or talking to a psy member. That's check Bridge of Policy! Dismiss

Brown was asked to cuff up & go into a cell with a celly. Brown came to, cuff up but no time did Brown assert he was not doing as told. Brown then told capogerman that he was having homicidal thoughts. By Policy officials can not put Brown into another cell with an inmate putting him & that inmate in danger. Brown was retaliated against with a write up for disobeying orders. You could check the camera. Brown walked to the door to cuff up. Brown told officials he was scared for his life did not feel safe with a celly & he was having homicidal thoughts as symptoms base off what what happened to him at camp Hill when he was Rape two times in the "oss hole". Officials were not following procedures. Brown is also protected under the medical health care, & reception & classification 11.2. An inmate can not be written up for his thoughts killing himself & on holding someone else if he makes offhanded remarks with out acting upon it.

2/19/17

Inmate's Signature _____ Date _____



pennsylvania
DEPARTMENT OF CORRECTIONS

EXHIBIT PG

1008

MEMO

TO Gartor Brown, NA6401
AA-Unit

FROM Kevin Kauffman
Superintendent

DATE January 4, 2018

RE Appeal of Misconduct #C084585

My review of your appeal of misconduct #C084585 indicates it is based on your belief that:

- A. The procedures employed were contrary to law, department directives, or regulations:
- C. The findings of fact were insufficient to support the decision.

I have taken the opportunity to read your instant appeal, the Program Review Committee decision, and the entire misconduct packet. In your appeal, you explain you were having homicidal thoughts and you explain your version of the events resulting in this misconduct. After reviewing the circumstances of the misconduct, I find the procedures used in this were in accordance with law, policy, and regulations, and the evidence is sufficient to support the hearing examiner's decision.

For the reasons outlined above, I reject your appeal as lacking merit, and therefore sustain the decision of the hearing examiner.

KK:cjg

cc: Deputy Brumbaugh
DC-14
DC-15
File

Exhibit Q4

DC-804

Part 1

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

FOR OFFICIAL USE

740662
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: SCI H	DATE: 12/19/17
FROM: (INMATE NAME & NUMBER) [Signature] 1A 641	SIGNATURE OF INMATE: [Signature]	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT: SD 1641	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

While in the Camera cell 15 on G-A Row 12/1/17 - 12/5/17 Brown suffered frost bites and hypothermia in which at one point a Co. came to the door saying are you cold? This inmate asserted yes, & I have told & asked Co's why the air was turn up high in the winter? This Co then stated did you write a grievance on two white shirts. Pursuant to them forcing you to sign a statement? Brown stated yes & the Co. said that's why we are freezing your black ass! He also asserted that it's because of me the LT's & Sgt, don't do their rounds going around the block in which is Police He then said while I am done here House told Co's not to let me out for showers or give me legal mail, in which I have not gotten shower for 8 days and legal mail or went out for rec. and my frost bite was never cultured

B. List actions taken and staff you have contacted, before submitting this grievance.

to after informing medical staff, I was also deprived of trays. Why am I getting deprived all these things? Dont Policy states LT, & Sgt have to walk these blocks and do rounds every day?

Your grievance has been received and will be processed in accordance with DC-ADM 804.

[Signature]
Signature of Facility Grievance Coordinator

12/11/17
Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 1 - Grievances & Initial Review

Issued: 1/26/2016
Effective: 2/16/2016

Attachment 1-A

Exhibit Q2

INITIAL REVIEW RESPONSE

SCI-Huntingdon

1100 Pike St.

Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name:	[REDACTED]	Inmate Number:	NA6401
Facility:	SCI-HUN	Unit Location:	[REDACTED]
Grievance #:	710662	Grievance Date:	12-8-2017
Decision:			
<input type="checkbox"/> Uphold Inmate		<input type="checkbox"/> Uphold in Part/Deny in Part	
<input checked="" type="checkbox"/> Grievance Denied			
<p><i>It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.</i></p>			
Response:	Frivolous <input checked="" type="checkbox"/>		
<p>I have received your grievance dated 12-8-2017</p> <p>In your grievance you state that you while you were housed in the RHU cell GA1015, you were cold, that the SGT and LT never made a round, and that you were deprived showers, You state that a "CO" told you to file a grievance and that you were deprived medical treatment for your frostbite and hypothermia. You also state that your legal mail was withheld. You also state that you were denied your meals as well.</p> <p>I have reviewed the legal mail log, which shows that no legal mail was received in the RHU for you, I, as the Lt walk thru A quad numerous times a day, and at no time did you attempt to speak to me about the temperature in the RHU. The heat is not controlled by RHU staff, however it is regulated and has been an average of 75 degrees on A quad. Furthermore, there is a procedure for signing up for showers, if you follow these procedures, and are ready when the escorting CO's come around, you will receive your shower. The same goes for your meal tray. If you are standing at your door with your light on, as announced via intercom you will receive your tray. There is also no documentation in medical showing that you had frostbite or hypothermia. There is also no evidence that you attempted to gain any medical access.</p> <p>Your claims are frivolous and your grievance is denied.</p> <p><i>cgreen</i></p>			
Signature:	Snyder, J	<i>J. Snyder</i>	
Title:	CO3		
Date:	1-2-2018		

cc: Superintendent
DC-15
File

Exhibit Q3

1/2/18

Grievance Appeal # 710662

While in the RTH this inmate was subject to his equal protection being violated. Prison walls do not form a barrier separating Prison inmates from the protection of the United States Constitution. Brown is also asserting Deliberate indifference, Emotional distress intentional infliction, Municipal failure to train, in which Policy makers are ~~also~~ liable for acquiescence in a custom or policy negligence, Retaliation, and harassment. While in the RTH Brown was deprived for his tray over eight times. Brown was subject to being in a cell so cold he has frostbite and hypothermia.

One of the CO's that deprived Brown for his trays told Brown the reason he was getting this treatment was for writing Grievance, this was one CO Harass. Officers then conspired in depriving Brown for showers & rec. Brown was moved from A Block to C Block & was put in a cell small with feces in which he as officers if he could get a cleaning bucket and he was denied. Brown was forced to sleep in the cell for 72 days. Brown was also deprived for his legal mail. And his legal papers and Property in which hurt him in the Courts, having cases dismissed because he could not respond to notices.

Brown is seeking damages, Punitive

Gartor Brown NA6401

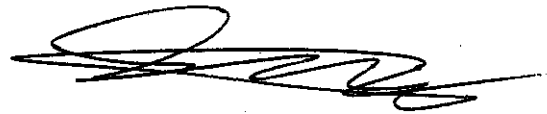
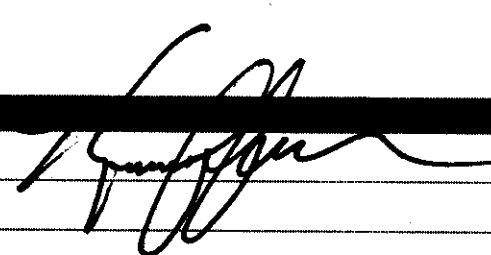


Exhibit 4 (Q)

Facility Manager's Appeal Response
SCI-Huntingdon
 1100 Pike St.
 Huntingdon, PA 16654-1112

D1005

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Gartor Brown	NA6401
HUN	GA-Unit
710662	
<input checked="checked" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely	
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>	
<p>In reviewing your grievance and appeal, I note that your concerns were appropriately addressed by Lt. Snyder. In your appeal, you argue you are being subjected to deliberate indifference. You also feel you are being harassed for writing grievances. In his response to your initial grievance, Lt. Snyder explains he reviewed the legal mail log and there was no mail received for you, and the temperature on the unit has been an average of 75°. Lt. Snyder also explains if you follow the rules for different activities, you will not be denied the opportunity to participate. I find that Lt. Snyder has addressed all your concerns, and there is no evidence of deliberate indifference.</p> <p>In closing, I can only reiterate that I uphold the response provided by the grievance officer. Your grievance is found to be without merit.</p>	
Signature:	Kevin Kauffman 
Title:	Facility Manager
Date:	2-7-18

cc: DC-15
 File

Brown was put in a camera cell naked with temperatures so extreme, he suffered symptoms like frostbites and hypothermia all because he was writing grievances and had wrote a grievance on LT. House and LT. Eberling. When Brown made his concern known to medical staff he was never treated. This custom is so common it's got a nick name "bluesing". Brown was then put in a cell smear with another inmate's feces by Kauffman, Eberling and House. Brown told the actors that he was unable to breathe because of the strong O.C. in the air. It was apparent that someone was just O.C. in that cell. There was feces all on the walls, floor, toilet, table, sink. The actors left Brown in the cell and called him a rat and a whistle blower. Brown then repeatedly begged LT. Dunkle and LT. Snelker to remove him from the cell and for medical attention in which he was ignored. Brown is demanding equal protection, retaliation in which Brown suffered adverse action at the hands of Kauffman, House, & Eberling for exercising his constitutional rights. Brown was also deprived for toilet, showers and food and his legal mail. Brown is seeking punitive damages and any other damages the court deem necessary.

Exhibit 5 Q

Added 2-17-18



Exhibit 6 Q

2018

ACTION REQUIRED
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

This serves to acknowledge receipt of information based on your intent to appeal the grievance noted below to final review. However, this information is being filed without action since you have failed to comply with one or more provisions outlined in DC-ADM 804, "Inmate Grievance System Policy".

Inmate Name: Gartor Brown	Inmate Number: NA6401
SCI Filed at: Huntingdon	Current SCI: Huntingdon
Grievance #: 710662	
Action: File Without Action/Pending	
<p>Review of the information you provided indicates that your appeal is incomplete. You are not permitted to appeal to this office unless you have complied with the procedures established in the DC-ADM 804 requiring that all documentation relevant to the appeal be provided upon appeal. Therefore, you have fifteen (15) working days from the date of this notice to provide this office with all completed documents necessary for conducting final review. A failure to provide the missing information (identified below) within this time period may result in a dismissal of your appeal. Further, any future appeals received that do not contain the required documents may result in an immediate dismissal. This notice is only a courtesy of this office and may not be provided again.</p>	
Required Information (please forward a copy of those documents checked below):	
Standard or Remanded Appeal to Final Review:	
<input checked="" type="checkbox"/>	Legible copy of your initial grievance and/or resubmitted initial grievance, signed & dated
<input checked="" type="checkbox"/>	Initial review response/rejection by Grievance Officer
<input checked="" type="checkbox"/>	Legible copy of appeal to Facility Manager, signed & dated
<input checked="" type="checkbox"/>	Facility Manager's decision/response
<input type="checkbox"/>	Remanded initial response
<input type="checkbox"/>	Legible copy of 2 nd appeal to Facility Manager
<input type="checkbox"/>	Facility Manager's 2 nd response
<input type="checkbox"/>	Appeal to final review, signed & dated
Appeal of Publication Denial:	
<input type="checkbox"/>	IPRC decision to deny publication
<input type="checkbox"/>	Appeal to Facility Manager, signed/dated
<input type="checkbox"/>	Facility Manager's decision
<input type="checkbox"/>	Appeal to final review, signed/dated
Appeal of Grievance Restriction:	
<input type="checkbox"/>	Grievance Coordinator's notice of grievance restriction
<input type="checkbox"/>	Appeal of grievance restriction to the Facility Manager, signed & dated
<input type="checkbox"/>	Facility Manager's response to grievance restriction appeal
<input type="checkbox"/>	Appeal to final review of grievance restriction, signed & dated
Please Note:	
<ul style="list-style-type: none"> Photocopying Services - Each facility has established local procedures for photocopying services for inmates housed in general population, as well as for those inmates housed in specialized units. If you are not familiar with these procedures, refer to your Facility Inmate Handbook or ask your Unit Team. Indigent Inmate - If you meet the criteria for indigency, please refer to DC ADM 803 for current guidelines regarding postage and copying charges. 	
Signature: Keri Moore <i>Keri Moore</i>	Grievance Review Officer Date: 02/27/2018

KLM

cc: DC-15/Superintendent Kauffman
 Grievance Office

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

FOR OFFICIAL USE

712213

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Green</i>	FACILITY: <i>SCI H</i>	DATE: <i>12/18/17</i>
FROM: (INMATE NAME & NUMBER) <i>Garlon Brown #A6461</i>	SIGNATURE OF INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: <i>[Blank]</i>	HOUSING ASSIGNMENT: <i>GD 104</i>	
INSTRUCTIONS:		
<p>1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.</p> <p>2. State your grievance in Block A in a brief and understandable manner.</p> <p>3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.</p>		
<p>A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8 1/2" x 11" page). State all relief that you are seeking.</p> <p>Brown is claiming inadequate access to the Court. Brown is not getting any legal mail from lawyers in which they asserted to him dates they send out letters directed to Brown. Also they are not getting letters directed to them from Brown. Brown is not getting any mail from the court in which letters was sent to the jail from the U.S. District courts & Brown never got it. During Brown's meeting with Security on 12/11/17 Brown made it clear he was not getting his legal mail in which an LT said you are not from this county the constitutional rights are not applicable to you. They also told Brown he will not get any legal mail because of law office reason and the grievance he wrote against Security and medical. Brown has been denied access to the Correctional facility's law library & denial of access is affecting his pending litigation by impairing his ability to file claims. Brown has a motion to dismiss due in the courts he is unable to research. Brown has summons he is unable to send out. The right of access must be adequate, effective, & meaningful, it requires authorities to assist inmate in preparing legal materials by providing assistance from individuals with legal training. Brown is claiming due process, retaliation, equal protection, harassment, discrimination, failure to train.</p> <p>B. List actions taken and staff you have contacted, before submitting this grievance.</p> <p>Brown has talked to many members of this Correctional Facility concerning his inadequate access to the Court & nothing has been done. - Brown is seeking normal, compensatory, & punitive damages in what ever the courts deem necessary.</p>		

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy


DC-ADM 804, Inmate Grievance System Procedures Manual
Section 1 - Grievances & Initial ReviewIssued: 1/26/2016
Effective: 2/16/2016

Attachment 1-A

D1004

GRIEVANCE REJECTION
 SCI-Huntingdon
 1100 Pike St.
 Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance to this office. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System," I have reviewed all documents provided as part of the grievance. Upon consideration of the grievance, it is the decision of this office to reject your grievance due to a failure to comply with the provisions of the DC-ADM 804, as specified below.

Gartor Brown		NA6401
HUN		GD-Unit
712213		
Rejection		
<input checked="" type="checkbox"/>	Your grievance is being rejected for the reason(s) outlined below.	
<input type="checkbox"/>	1. Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator.	
	a) DC ADM 008 Prison Rape Elimination Act (PREA) - allegations of a sexual nature against a staff member and/or inmate-on-inmate sexual contact.	
	b) DC ADM 801 Inmate Discipline/Misconduct Procedures	
	c) DC ADM 802 Administrative Custody Procedures	
	d) DC ADM 803 Inmate Mail and Incoming Publications, Section 3, E.	
<input checked="" type="checkbox"/>	2. The grievance was not submitted within 15 working days after the events upon which claims are based.	
<input type="checkbox"/>	3. Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.	
<input checked="" type="checkbox"/>	4. The grievance was not signed and/or dated with correct commitment name or number, contained UCC references, or was not presented in proper format .	
	5. Grievance must be legible, understandable, and presented in a courteous manner.	
	6. The grievance exceeded the two page limit. Description needs to be brief.	
	7. Grievance does not indicate that you were personally affected by a DOC or facility action or policy.	
	8. Grievances based upon different events must be presented separately.	
	9. The issue(s) presented on the attached grievance has been reviewed or is currently being reviewed and addressed in prior grievance _____.	
	10. Group grievances or grievances filed on behalf of another inmate are prohibited.	
	11. Grievance disputes previous grievances, appeal decisions, or staff members who rendered those decisions.	
	12. You are currently on grievance restriction. You are limited to one grievance every 15 working days. Last grievance # _____, submitted on _____.	
	13. You have not provided this office with the required documentation for proper review such as a DC153A Personal Property Inventory Sheet, Confiscated Items Receipt, Commissary/Outside Purchase Form, or documents outlined on the DC ADM 005 Notification of Deductions memo and/or the Notification of Amended Deductions memo.	
	14. The publication appeal did not include a copy of the Notice of Incoming Publication Denial form (Attachment 3-B of DC ADM 803).	
You have not provided any specific dates or information to explain how your complaint is timely; therefore, it is considered untimely. If you can provide information or dates to show timeliness, you may resubmit your grievance using the assigned number in accordance with DC ADM 804, Section 1.B.6. In addition, you must submit the pink copy with your initial grievance.		
Signature:		
Title:		Facility Grievance Coordinator
Date:		12-20-17

cc: DC-15
 File

DC-ADM 804, Inmate Grievance System Procedures Manual

Section 1 – Grievances & Initial Review

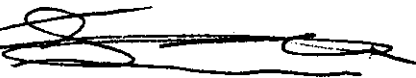
Issued: 1/26/2016
 Effective: 2/16/2016

Attachment 1-C

This is an direct ~~to~~ apparently this Grievance was Submitted on time within 15 working day from the time Brown rights was Violated. This is a Grievance that will have to be investigated base on Brown's claims, of inadequate access to the courts. Brown has asserted he was not getting his legal mail & or his mail was not being sent out. In which with due respect he has all rights to make those claims if the lawyers he is writing are telling him this.

Brown also asserted that he had a brief meeting with Security on 12/11/17 Brown made it clear that he was not getting his legal mail ~~the~~ nor attending the law library in which one LT. Eberling stated "our not from here so the Constitution dose not apply to you"! They also told Brown that he will not be getting any legal mail because of his law suits & because of a grievance he wrote against Security & medical. Brown denied access to this facility's law library is clearly hurting his pending litigations. Brown is unable to resub. Brown was unable to submit appeal motions in cases that's pending in the court of appeals. The right of access must be adequate effective, & meaningful & requires authorities to assist inmates in pre pending legal materials by providing assistance from individuals with legal training.

Brown is claiming due process, retaliation, equal protection, harassment discrimination & failure to train.

Sign 

RECEIVED

JAN 05 --

SCI - HUNTINGDON

Exhibit RA

A1008

Facility Manager's Appeal Response
SCI-Huntingdon
1100 Pike St.
Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Gartor Brown	NA6401
HUN	GA-Unit
712213	
<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part	
<input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely	
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>	
<p>In reviewing your initial grievance and appeal, I note your original grievance was rejected because it was not submitted within 15 working days of the events upon which your claims are based and it was not presented in the proper format because you did not submit the entire snap set with your initial grievance. In your appeal to this rejected grievance, you argue your grievance is timely. You point out that you reported the concern with your legal mail to the Security Office on 12-11-17. I have reviewed your initial grievance, and I note you do state this; however, I must agree this does not make your grievance timely. Your grievance claims you are not receiving your legal mail, and you do not provide any specific dates or information to determine when you did not receive your mail. Simply reporting your concern does not make it timely. I find grievance #712213 has been properly rejected.</p>	
Signature:	Kevin Kauffman
Title:	Facility Manager
Date:	2-2-18

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
Effective: 12/8/2010

Attachment 2-B

Exhibit R5

D1005
GD

ACTION REQUIRED
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

This serves to acknowledge receipt of information based on your intent to appeal the grievance noted below to final review. However, this information is being filed without action since you have failed to comply with one or more provisions outlined in DC-ADM 804, "Inmate Grievance System Policy".

Inmate Name:	Gator Brown	Inmate Number:	NA6401
SCI Filed at:	Huntingdon	Current SCI:	Huntingdon
Grievance #:	712213		
Action:	File Without Action/Pending		
<p>Review of the information you provided indicates that your appeal is incomplete. You are not permitted to appeal to this office unless you have complied with the procedures established in the DC-ADM 804 requiring that all documentation relevant to the appeal be provided upon appeal. Therefore, you have fifteen (15) working days from the date of this notice to provide this office with all completed documents necessary for conducting final review. A failure to provide the missing information (identified below) within this time period may result in a dismissal of your appeal. Further, any future appeals received that do not contain the required documents may result in an immediate dismissal. This notice is only a courtesy of this office and may not be provided again.</p>			
Required Information (please forward a copy of those documents checked below):			
Standard of Remanded Appeal to Final Review:			
<input type="checkbox"/>	Appeal to Facility Manager, signed/dated		
<input type="checkbox"/>	Facility Manager's decision		
<input type="checkbox"/>	Appeal to final review, signed/dated		
Appeal of Grievance Restriction:			
<input type="checkbox"/>	Grievance Coordinator's notice of grievance restriction		
<input type="checkbox"/>	Appeal of grievance restriction to the Facility Manager, signed & dated		
<input type="checkbox"/>	Facility Manager's response to grievance restriction appeal		
<input type="checkbox"/>	Appeal to final review of grievance restriction, signed & dated		
Please Note:			
<ul style="list-style-type: none"> • Photocopying Services - Each facility has established local procedures for photocopying services for inmates housed in general population, as well as for those inmates housed in specialized units. If you are not familiar with these procedures, refer to your Facility Inmate Handbook or ask your Unit Team. • Indigent Inmate - If you meet the criteria for indigency, please refer to DC ADM 803 for current guidelines regarding postage and copying charges. 			
Signature:	Keri Moore	<i>Keri Moore</i>	Date: 02/21/2018

KLM

cc: DC-15/Superintendent Kauffman
 Grievance Office

Exhibit 52

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONSFOR OFFICIAL USE
711797
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Gran</i>	FACILITY: <i>SEI Hun</i>	DATE: <i>12-13-17</i>
FROM: (INMATE NAME & NUMBER) <i>Garfor Brown</i>	SIGNATURE OF INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: <i>NAB401</i>	HOUSING ASSIGNMENT: <i>GD-111</i>	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

This inmate is being deprived of his property, Inmate with officials in the Property room to inventory his stuff. Officials would not let him letting them he had to sign for his property. This inmate asserted that he does not have to sign until he's aware that all in property is on deck because he was not the one to pack his property. Cio's told him "your lucky for getting anything we know you ratted after you was ripped at camp Hill and came here filing grievances on our staff members." Cio's then asserted "Security told us not to give you shit" by the way all your mail leaked is going to other inmates, your not getting shit while down here, now sign! Brown told officials he does not know what's in his property & that he can't not sign with out looking through it. He was brought back to his cell. Brown told different officials what took place nothing was done. Brown wrote the unit manager telling him he has an motion due, he wrote the law library that he had a motion due the next with security house & others & told them. He also told his legal work still does not have any of his legal work & it's been 15 days which is hindering his access to the courts, brown is bringing claims of retaliation, equal protection, due process substantive & procedural, through the 5th & 14th Amendment also state claims of negligence, discrimination, harassment & is asking for damages normal & compensatory.

B. List actions taken and staff you have contacted, before submitting this grievance.

Brown was talked to officials, unit manager Security Subordinate, he is still being deprived of his legal property.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

[Signature]
Signature of Facility Grievance Coordinator

12/18/17
Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy


CANARY File Copy

PINK Action Return Copy

EXhibit 52
DIOCH

GRIEVANCE REJECTION
SCI-Huntingdon
1100 Pike St.
Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance to this office. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System," I have reviewed all documents provided as part of the grievance. Upon consideration of the grievance, it is the decision of this office to reject your grievance due to a failure to comply with the provisions of the DC-ADM 804, as specified below.

Inmate Name	Gartor Brown	Inmate Number	NA6401
Facility	HUN	Department	GD-Unit
Grievance Number	711797		
Decision	Rejection		
<input checked="" type="checkbox"/>	Your grievance is being rejected for the reason(s) outlined below.		
Rationale:			
	1. Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator.		
	a) DC ADM 008 Prison Rape Elimination Act (PREA) - allegations of a sexual nature against a staff member and/or inmate-on-inmate sexual contact.		
	b) DC ADM 801 Inmate Discipline/Misconduct Procedures		
	c) DC ADM 802 Administrative Custody Procedures		
	d) DC ADM 803 Inmate Mail and Incoming Publications, Section 3, E.		
<input checked="" type="checkbox"/>	2. The grievance was not submitted within 15 working days after the events upon which claims are based.		
	3. Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.		
	4. The grievance was not signed and/or dated with correct commitment name or number, contained UCC references, or was not presented in proper format.		
	5. Grievance must be legible, understandable, and presented in a courteous manner.		
	6. The grievance exceeded the two page limit. Description needs to be brief.		
	7. Grievance does not indicate that you were personally affected by a DOC or facility action or policy.		
	8. Grievances based upon different events must be presented separately.		
	9. The issue(s) presented on the attached grievance has been reviewed or is currently being reviewed and addressed in prior grievance		
	10. Group grievances or grievances filed on behalf of another inmate are prohibited.		
	11. Grievance disputes previous grievances, appeal decisions, or staff members who rendered those decisions.		
	12. You are currently on grievance restriction. You are limited to one grievance every 15 working days. Last grievance # _____, submitted on _____		
	13. You have not provided this office with the required documentation for proper review such as a DC153A Personal Property Inventory Sheet, Confiscated Items Receipt, Commissary/Outside Purchase Form, or documents outlined on the DC ADM 005 Notification of Deductions memo and/or the Notification of Amended Deductions memo.		
	14. The publication appeal did not include a copy of the Notice of Incoming Publication Denial form (Attachment 3-B of DC ADM 803).		
Response:			
You have not provided any specific dates or information to explain how your complaint is timely; therefore, it is considered untimely. If you can provide information or dates to show timeliness, you may resubmit your grievance using the assigned number in accordance with DC ADM 804, Section 1.B.6.			
Signature:			
Title:	Facility Grievance Coordinator		
Date:	12-18-17		

cc: DC-15
File

Grievante # 711797 TO Facility Manager Garborkian NA690/
Brown takes an Affirmative stand to all asserted in
his Grievance to Miss Green.

Exhibit S3

Dated 12-26-18

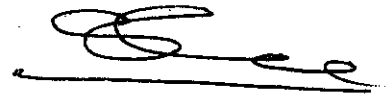
A handwritten signature in black ink, appearing to be "E. Green", written over a horizontal line.

EXHIBIT S4

A1016

Facility Manager's Appeal Response

SCI-Huntingdon

1100 Pike St.
Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name:	Gartor Brown	Inmate Number:	NA6401
Facility:	HUN	Unit Location:	GA-Unit
Grievance #:	711797		
Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely		
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
Response:		Facility Manager	
<p>In reviewing your initial grievance and appeal, I note your original grievance was rejected because it was not submitted within 15 working days of the events upon which your claims are based. In your appeal to this rejected grievance, you repeat your complaint that you were told you had to sign your property inventory before you would be permitted to take any of your property. I have reviewed your initial grievance, and I find no you have provided no dates or other information to explain how your complaint is timely. Since the grievance coordinator had no information upon which to base a determination of timeliness, your grievance was considered untimely. I find grievance #711797 has been properly rejected.</p>			
Signature:	Kevin Kauffman		
Title:	Facility Manager		
Date:	1-26-18		

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
Effective: 12/8/2010

Attachment 2-B

2018

D1005

GD

EXhibit 55

ACTION REQUIRED
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

This serves to acknowledge receipt of information based on your intent to appeal the grievance noted below to final review. However, this information is being filed without action since you have failed to comply with one or more provisions outlined in DC-ADM 804, "Inmate Grievance System Policy".

Inmate Name:	Gartor Brown	Inmate Number:	NA6401
SCI Filed at:	Huntingdon	Current SCI:	Huntingdon
Grievance #:	711797		
Action:	File Without Action/Pending		
Review of the information you provided indicates that your appeal is incomplete. You are not permitted to appeal to this office unless you have complied with the procedures established in the DC-ADM 804 requiring that all documentation relevant to the appeal be provided upon appeal. Therefore, you have fifteen (15) working days from the date of this notice to provide this office with all completed documents necessary for conducting final review. A failure to provide the missing information (identified below) within this time period may result in a dismissal of your appeal. Further, any future appeals received that do not contain the required documents may result in an immediate dismissal. This notice is only a courtesy of this office and may not be provided again.			
Required Information (please forward a copy of those documents checked below):			
Standard or Remanded Appeal to Final Review:			
<input checked="" type="checkbox"/>	Legible copy of your initial grievance and/or resubmitted initial grievance, signed & dated		
<input checked="" type="checkbox"/>	Initial review response/rejection by Grievance Officer		
<input checked="" type="checkbox"/>	Legible copy of appeal to Facility Manager, signed & dated		
<input checked="" type="checkbox"/>	Facility Manager's decision/response		
<input type="checkbox"/>	Remanded initial response		
<input type="checkbox"/>	Legible copy of 2 nd appeal to Facility Manager		
<input type="checkbox"/>	Facility Manager's 2 nd response		
<input type="checkbox"/>	Appeal to final review, signed & dated		
Appeal of Publication Denial:			
<input type="checkbox"/>	IPRC decision to deny publication		
<input type="checkbox"/>	Appeal to Facility Manager, signed/dated		
<input type="checkbox"/>	Facility Manager's decision		
<input type="checkbox"/>	Appeal to final review, signed/dated		
Appeal of Grievance Restriction:			
<input type="checkbox"/>	Grievance Coordinator's notice of grievance restriction		
<input type="checkbox"/>	Appeal of grievance restriction to the Facility Manager, signed & dated		
<input type="checkbox"/>	Facility Manager's response to grievance restriction appeal		
<input type="checkbox"/>	Appeal to final review of grievance restriction, signed & dated		
Please Note:			
<ul style="list-style-type: none"> Photocopying Services - Each facility has established local procedures for photocopying services for inmates housed in general population, as well as for those inmates housed in specialized units. If you are not familiar with these procedures, refer to your Facility Inmate Handbook or ask your Unit Team. Indigent Inmate - If you meet the criteria for indigency, please refer to DC ADM 803 for current guidelines regarding postage and copying charges. 			
Signature:	Keri Moore <i>Keri Moore</i>	Grievance Review Officer	Date: 02/21/2018

KLM

cc: DC-15/Superintendent Kauffman
 Grievance Office

EXHIBIT 1

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

FOR OFFICIAL USE

726832

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: SCI A	DATE: 3/15/18
FROM: (INMATE NAME & NUMBER) Garlar Brown NA6401	SIGNATURE OF INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: —	HOUSING ASSIGNMENT: GD105	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

Pursuant to the monthly Account Statement, Brown is muddled why he was charged \$11.77 for postage on 2/26/18, if certified postage is only \$6.67. In which that mail was directed to the U.S. District Court a one page letter to the judge.

B. List actions taken and staff you have contacted, before submitting this grievance.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

EXhibit T2

INITIAL REVIEW RESPONSE

SCI-Huntingdon

1100 Pike St.

Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name	[REDACTED]	Grievance Number	NA6401
Facility	Huntingdon	Unit Location	[REDACTED]
Grievance #	726832	Grievance Date	3/17/18
<input type="checkbox"/> Uphold Inmate <input checked="" type="checkbox"/> Grievance Denied <input type="checkbox"/> Uphold in Part/Deny in Part			
<i>It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.</i>			
<p>Response:</p> <p>I have received your grievance in which you allege that you were overcharged for outgoing mail. I have investigated your grievance and my findings are as such; I contacted the mailroom, they informed me that they charge for the certified form, and the return receipt, and then the computer tells them what to charge for the postage. It is all decided by the computer and they have no control over it. The US postal service sets up the charges on the machine, it just tells them what to charge.</p> <p>For the above reasons this grievance is denied and no relief was sought.</p> <p><i>eguen</i></p>			
Signature:	<i>C. K. L. K. K.</i>		
Title:	RHU/DTU UM		
Date:	3/26/18		

cc: Superintendent
DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 1 - Grievances & Initial Review

Issued: 12/1/2010
 Effective: 12/8/2010

Attachment 1-D

Exhibit T-1-3

Inmate Number	NAME	HOUSING UNIT	DATE	GRIEVANCE#
WAG 601	Carter Brown	GA	3/28/18	T26032
I received my final response from the Grievance Office/Board on _____ and have the right to appeal.				
Re: DC-ADM 804, Inmate Grievance System Procedures, for complete instructions.				
Please provide a BRIEF (no more than 100 words) appeal statement.				
<p>This is another cover up and poor investigation. Brown is claiming inadequate access to the courts, retaliation, negligence and discrimination. Brown mail has been subject to restraint since his sexual assault allegations. Brown has been cut off from all organizations; Brown has wrote letters in which when they write back he is deprived of his legal mail, when he does get mail it's already open with tape in the back. Brown is paying for certified hard copy receipt & not getting it. on 2/26/2018 Brown account was charged \$11.77 for first class mail that was sent out on and around that date. That mail that was sent out by Brown was sent certified with return hard copy receipt to a federal judge, in which the letter was only one page and should have been no more than \$6.67. Every other mail Brown send out before that was sent certified in which it shows on the account statement. The last time Brown did not send out mail certified was around 1-26-17 3 very important oppositions pursuant to civil cases; in which the courts claim they never got around that time. Brown is claiming the oppositions were sent out as with his letter on 2/26/18 causing around \$4.90 + the \$6.67 for the letter. There should have been no reason Brown account was charged \$11.77 for one page letter.</p>				

INMATE SIGNATURE: 

Exhibit T4

Facility Manager's Appeal Response SCI-Huntingdon

1100 Pike St.
Huntingdon, PA 16654-1112

D106

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name	Gartor Brown	Inmate Number	NA6401
Facility	HUN	Unit/Classification	GD-Unit
Grievance	726832		
<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely			
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
<p>Response:</p> <p>In reviewing your grievance and appeal, I note that your concern with postage charges was appropriately addressed by Mr. Kendrick. In your appeal, you state that you are being deprived of your legal mail and when you do receive it, it has been tampered with. These issues were not presented in your initial grievance and will not be addressed in this appeal. You also repeat your claim that you were overcharged for certified mail. In his response to your initial grievance, Mr. Kendrick explains a postage computer in the mailroom determines the charges for mail. You are charged for the certified form and the return receipt and then postage charges are added. These charges are set by the U. S. Postal Service, not the mailroom staff. I find there is no evidence you were overcharged.</p> <p>In closing, I can only reiterate that I uphold the response provided by the grievance officer. Your grievance is found to be without merit.</p>			
Signature:	Kevin Kauffman		
Title:	Facility Manager		
Date:	5-9-18		

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
Effective: 12/8/2010

Attachment 2-B

2018

Exhibit T6

Final Appeal Decision
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

D106

This serves to acknowledge receipt of your appeal to the Secretary's Office of Inmate Grievances and Appeals for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy", the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to the Facility Manager, the Facility Manager's response, the issues you raised to final review, and (when applicable) any revised institutional responses required as a result of a subsequent remand action by this office. As necessary, input from appropriate Central Office Bureaus (e.g., Health Care Services, Chief Counsel, Office of Special Investigations and Intelligence, etc) may have been solicited in making a determination in response to your issue as well.

Inmate Name:	Gator Brown	Inmate Number:	NA6401
SCI Filed at:	Huntingdon	Current SCI:	Huntingdon
Grievance #:	726832		
Publication (if applicable):			

Grievance # 726832 Appeal to Secretary Office

Brown is claiming that on 2/26/18 he was charged \$11.77 for postage; Brown is claiming one or two things 1) he was over charged for Certified mail and return receipt in which should have only been \$6.20 in postage, or two the jail send something ends with that mail in which they was with holding. Apparently the letter send out on 2/26/18 was a one page letter to a Judge asking about mail that Brown had already send out to the courts but was not getting any response. Brown wants to know how much that package weight, there should be no reason why it should have weight less than 1/6 of an ounce.

Exhibit T5

EXhibit 01

D1005

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONSFOR OFFICIAL USE
723206
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY:	DATE:
FROM: (INMATE NAME & NUMBER)	SIGNATURE OF INMATE:	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
 2. List in block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8 1/2" x 11" page). State all relief that you are seeking.

Brown is claiming inadequate access to the court, retaliation & discrimination directed to Kaufman, El Young, Grimsley, Mailroom supervisor John Doe, mail body team. Brown has not yet received certified mail receipt for a letter he sent to the court with a complaint form a mail he sent on on 2/20/18. Mail was called by CO Brown around 5:00pm the receipt should show the co's name, address, certified mail receipt was then returned at the mail box. This was directed to the the court. Brown has also not yet received certified mail receipt for a certified letter that was sent on 2/15/18. In addition, the receipt was not returned as it was 7015-3010-0001-1348-3025. Also the letter was not returned as it was 7015-3010-0001-1348-3025. In which, Brown is being charged a rate of \$2.75. Also Brown did not get his hand cert receipt with signature for his mail sent out 2/16/18 directed to the ACLU. Tracking # 7015-3010-0001-1348-3030.

B. List actions taken and staff you have contacted, before submitting this grievance.

Your grievance has been received and will be processed in accordance with the grievance system.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

INITIAL REVIEW RESPONSE

SCI-Huntingdon
1100 Pike St.
Huntingdon, PA 16654-1112

Exhibit U2

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name:	Brown, J	Inmate Number:	NA6401
Facility:	Huntingdon	Unit Location:	G block
Grievance #:	723206	Grievance Date:	2/24/18
Decision:			
<input type="checkbox"/> Uphold Inmate <input checked="" type="checkbox"/> Grievance Denied <input type="checkbox"/> Uphold in Part/Deny in Part			
<i>It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.</i>			
Response:			
<p>I have received your grievance in which you allege that you have inadequate access to the court. I have investigated your grievance and my findings are as such: I spoke to the officers and researched the tracking numbers in your grievance the one number must be incorrect because it will not come up but the other one 7015-3010-0001-1348-3447 will come up on the USPS tracking number and it states that it was picked up at Huntingdon on 2/15/18, went to Johnstown, Pa, then went to Harrisburg, then to Camp hill, then to Enola, then back to Camp hill, then back to Enola for pick up on the 2/21/18 and was ready for pick up at 4:51 pm. The other one 7015-3010-0001-1348-3430 list that it went out of Huntingdon on 2/16/18, went to Johnstown, then in transit to Philadelphia from the 16th thru 21st when it arrived at Philadelphia, it has been available for pickup since 2/22/18. On March 9th it was listed as Unclaimed/being returned to Sender.</p> <p>Your issue is not with SCI-Huntingdon or the mail room it is with the US postal service. I suggest you make your complaints to them.</p> <p>For the above reasons this grievance and all relief sought is denied.</p> <p><i>egreen</i></p>			
Signature:	<i>C. K. H. H. H.</i>		
Title:	RHU/DTU UM		
Date:			

cc: Superintendent
DC-15
File

Exhibit U3

In order to state a Procedural due Process claim Brown must allege that the Prison "imposed atypical and significant hardship on him in relation to the ordinary incidents of Prison life". Brown is claiming due Process inadequate access to the court, retaliation, and discrimination and negligence, against J. Neumann, Mail room lady Jean Doe, Kuffman, Rita U. Yame, Rita U. Sylvester, Rita Unit Manager Kendrick, and Co Forchtman.

Conclusory statements that a Policy or Practice exists are not entitled to a presumption of truth. Officials has a Policy in which Co's you grievance are deliberately around you out of retaliation. These Co's are to hand out your trays, deliver your grievance responses, request responses, mail, legal mail, law library books, conduct showers, inventory your property, property exchange. These Co's are then free to retaliate and or conspire against inmates they dislike for writing them up. Co's were well known to pass inmate legal mail to other inmates or personal grievance response to other inmates or just deprive you of your legal mail.

While in the Rita Brown wrote a grievance against a Co Forchtman Pursuant to a sexual assault. That Co then passed one of Brown's personal grievances to another inmate. Brown was then subject to sexual harassment from other inmates because he's a homo sex. While in Population Brown wrote a grievance against another Co. That Co handled Brown's personal mail & grievance respond to his cellmate. Brown cell mate Dick Con found out Brown was a rape victim & Brown was subject to an assault & sexual harassment.

Other inmates are subject to the same custom. An inmate Torres wrote a grievance on a Co. Pursuant to depriving him of his trays and discrimination, that Co was told to work the block the next day & passed Torres personal medical records to another inmate.

Brown is asserting that this custom or regulation is causing a constitutional tort Pursuant to his due process, retaliation and discrimination claims. Brown has not been getting any legal mail from lawyers he's writing. Brown gave a lawyer information to another inmate, this lawyer wrote him back with in three days. This same lawyer told Brown over the phone conversation he had not gotten any of Brown previous letters he send him. Brown then wrote this lawyer certified on Feb 15 he also asked for hard copy return Receipt, he got the mail receipt back it asserted that letter left Huntington on Feb 15 2018 and the hard copy for tracking # 7015300001 - 13483023 said a agent sign for it on 2/20/18 Brown has yet to get a respond. Brown also send a letter to Pear Pursuant to a sexual assault. Another inmate told Brown a letter was handed to him from Pear with Brown name on it by Co. Forchtman, he then told the inmate to flush it after reading it. He also told the inmate that Brown is a homo sexual. Brown was then subject to harassment from that inmate. Brown was also muddled what his Pear letter which was tracked would go to Johnstown, then Harrisburg, then Camp Hill, then Enola in which was the city it was directed, it then went back to Camp Hill, then back to Enola, then it was picked up. Prison officials blamed it on the Post office during a grievance respond. It just was not deliver up to Brown that the Post office would deliberately return a letter back to camp Hill that was never directed to camp Hill. Prior to this Brown had complained to officials that the mail he was getting was coming from Camp Hill even though it had been months since Brown was at Camp Hill. Apparently there was all mail Pursuant to Brown's civil cases in which he had already wrote defendants lawyers and they was aware his address was SCT Huntington. Brown would also notice those letters would be open even tho they had attorney contract number on the front.

Brown came to a conclusion that officials was deliberately directing his letters to camp Hill with out alerting him, which made sense because Brown had a sexual assault claim against that jail. In which a name clearly shows from the UPS tracker that officials send Brown of his Pear letter directed to Enola PA in which was Pursuant to a sexual assault.

Brown wrote the ACLU on Feb 15 18. Brown never got a certified mail receipt back. Brown talked to Forchtman, he told Brown it was in the bubble & he was not getting it because he is a homo sex. That write Grievances. Brown addressed the letter Pursuant to a sexual assault Brown supplied at SCT Huntington to P.O. Box 60173 Philadelphia, PA 19102. Brown did not get a responds he then wrote this grievance and and got a return to sender 30 days later on 3/16/18. During this time Brown was muddled and give another inmate the same address to write and ask if they received Brown's letter, that inmate wrote the same address & got a response back.

Brown wrote the ACLU on Feb 15 18. Brown never got a certified mail receipt back. Brown talked to Forchtman, he told Brown it was in the bubble & he was not getting it because he is a homo sex. That write Grievances. Brown addressed the letter Pursuant to a sexual assault Brown supplied at SCT Huntington to P.O. Box 60173 Philadelphia, PA 19102. Brown did not get a responds he then wrote this grievance and and got a return to sender 30 days later on 3/16/18. During this time Brown was muddled and give another inmate the same address to write and ask if they received Brown's letter, that inmate wrote the same address & got a response back.

with in five days and he did not even send the letter certified. The ACLU asserted they did not get a letter from a Garber Brown NAECIO. A Jane in a private respond officials claimed they tracked the mail it left Huntington on 2/16/18 went missing for five days before going to Philadelphia, then was ready for pick up on 2/22/18 as Jane was missing for 23 days on March 4th it was listed unclaimed. That alerted Brown. Brown gave a friend the tracking number & when that inmate called his wife they tracked it to Camp Hill in which officials did not mention on the grievance.

Brown then wrote his judge in his civil case on 2/19/18 with concerns. There was a court order asking for legal calls in which inmates legal calls here are subject to recording also a motion for appointment on counsel for one of his case, & a letter telling the judge he was not getting his legal mail and or delay. He then asked Mrs Kate Berkman to send him a usps 42 (983) form and copy of a lawyer responded from one of his motions not that he needed it just to make sure the courts not his mail, because by policy they have to send Brown what he was asked for in which they have been very good at doing. Near the next it has been a month and Brown has not getting a respond. Brown then asked Co. Placnik if he had getting any mail from the U.S. District court? He told Brown to go get fucked again & that he did not like homosexuals. This was also another Co. Brown has irrelevance pursuant to a sexual assault claim. Because Brown did not get the courts he asked the courts for in which they are very good with their policy that usually on take a week in there the jail must be holding his letter. In the grievance officials never address Brown's letter he send to the courts tracking # 70153010 00013483546.

Brown then wrote a follow up letter on 2/26/18. It was a letter asking the courts if they had received his letter and asking for confirmation. Brown never get a respond for tracker # 70153010 000213483522. Brown then got his prison account statement on there it showed on 2/26/18 Brown was charged \$11.77 for first class mail in which Bb Policy with the charge of return receipt should had costed Brown \$6.67 at most. Brown is muddled why he was charged that much if his letter was only one page?

Brown meet with the prison security on 3/8/18 this was his second meeting with them his first was a month before in which he made his concerns knew. They told Brown that would contact his family. When Brown meet with them on 3/8/18 they asserted that Brown Dad & Uncle has been calling the jail because they are worried Brown but they are not getting a response. Buck Brown told them he was unaware that he had not received a letter from any family member. They also asserted that they called two lawyers Brown claimed he wrote & those lawyers told them they never got a letter from Brown. SCJ temporary with Brown's mail is clearly blocking his access to the court & officials policy of putting the same co's around Brown that he is alleging deprives him is effective or delaying his mail. These same officials are reading Brown grievance and request then retaliating against him. Brown is seeking punitive damages as well as monetary damages and declaratory injunctive relief. In damages 20,000,000.

2018

Exhibit U4

FINAL APPEAL DECISION DISMISSAL
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

This serves to acknowledge receipt of your appeal to final review for the grievance identified below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System," this Office has reviewed all documents provided as part of the grievance record. Upon consideration of the entire record, it is the decision of this office to dismiss your appeal to final review due to a failure to comply with the provisions of the DC-ADM 804, as specified below.

Gartor Brown		NA6401
Huntingdon		Huntingdon
723206		
Dismiss		
	1) Your grievance was properly rejected at the facility level for the reason(s) outlined below.	
X	2) Your grievance is being dismissed at the final appeal level for the reason(s) outlined below.	
	1. Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator.	
	a) DC ADM 008 Prison Rape Elimination Act (PREA) – allegations of a sexual nature against a staff member and/or inmate-on-inmate sexual contact	
	b) DC ADM 801 Inmate Discipline/Misconduct Procedures	
	c) DC ADM 802 Administrative Custody Procedures	
	2. The grievance or appeal was not submitted within fifteen (15) working days after the events upon which claims are based.	
	3. Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.	
	4. The grievance was not signed and/or dated with correct commitment name, number, contained UCC references, or was not presented in proper format.	
	5. Grievance or appeal must be legible, understandable, and presented in a courteous manner.	
	6. The grievance or appeal exceeded the two-page limit. Description needs to be brief.	
	7. Grievance does not indicate that you were personally affected by a Department or facility action or policy.	
	8. Grievances based upon different events must be presented separately.	
	9. The issue(s) presented on the attached grievance has been reviewed or is currently being reviewed and addressed. Prior grievance #	
	10. Group grievances or grievances filed on behalf of another inmate are prohibited.	
	11. Grievance disputes previous grievances, appeal decisions or staff members who rendered those decisions.	
	12. You are currently on grievance restriction. You are limited to one grievance every 15 working days. Last grievance # was submitted on	
X	13. You have not provided this Office with required and/or <u>legible</u> documentation for proper review.	
	14. An appeal to final review is not permitted when you fail to comply with submission procedures.	
While you provided this office with all of the required documents, the copy of your initial grievance that you provided is not legible. Therefore, your appeal to this office is dismissed.		
Signature:	Dorina Varner <i>Keri Moore for</i>	
Title:	Chief Grievance Officer	
Date:	5/31/18	

DLV/km

cc: DC-15/Superintendent Kauffman
 Grievance Office

D100P

ED

Grievance Appeal to Secretary Office # 723206

Brown is sticking by his claims of due process, mad equite cases to the courts, retaliation, discrimination and negligence. Against J. Neumann, mail room lady Jean Doe, Klatoffman, LT. Vauker, LT. Syner, & Kendrick & Fochlman. Brown is muddle why tracking # 701530100000113483423 went from or departed from Huntsdon Post Office on 2-15-2018 5:17PM Arrived at the USPS Regional Facility at 8:13 on 2-15-18 in Johnstown then departed from Johnstown on 2-16-18 5:25am to go back to Huntsdon on 2-16-2018 at 7:16am just to get sorted out. Pursuant to tracking # 7015301000011348342130 Brown send out a letter to the ACLU on 2-16-18 and it was in transit for a month. This was the first time Brown letter to the ACLU went undarm. Brown given this address to another inmate to write and he got the letter back with in a week. The ACLU claims they never got a letter from a Gator Brown NA 6401 from SCT Huntsdon.

Pursuant to tracking # 701530100001134834417 directed to P.C.A.R. Brown is muddle why that letter was forwarded to Camp Hill with out his permission. It departed Harrisburg on 2-16-2018 at 9:23PM Arrived at Camp Hill 2-17-2018 at 8:11am then sorted out in Enola PA then it was forwarded on to camp Hill on 2-17-18 at 8:32am then send back to Enola PA on 2-20-18 at 9:52am. It has to be something in the computer starting the Post Office to forward Brown's mail to Camp Hill with out his permission in which Brown has mail that was already open from defendant's lawyers with central number 94011 in which was forwarded from Camp Hill although these same lawyers were aware of Brown Brown at SCT Huntsdon. During they send the letter.

Pursuant to tracking # 70153010000113483522 Brown was charged \$11.77 on his inmate Account Statement in which did not add up because certified mail and return receipt cost \$6.67 Plaintiff was charged an extra \$5.10 for postage. Brown will like to know how much that package weight in which it was only a one page letter directed to a judge asking him if he got Brown's motions. If that package was over 1 page in which is the case for Brown to be charged \$11.77 in postage Brown is claiming that officials delayed to send another package in which was sent out weeks prior that was not certified and it was over 50 pages. Brown is claiming that those motions was send on with his one page letter on 2/26/18 that delay caused Brown case to be dismiss.

Brown has not been getting his certified receipts back. ~~not~~ Brown is also being denied personal mail from his family members. Apparently Brown's father and uncle and other family members has been writing the but very concern of his well being those letters has been confiscated by officials. Officials are also scanning the central numbers of package mail with no expectation what so ever. And the letters Brown is getting from the courts are already open before it gets to him. Brown mail is also being passed to other inmates. In which it's a policy that officials give Brown mail to the officials he wrote grievances on in which they are free to deprive him his mail or give it to other inmates.

Gator Brown NA 6401

dated: 4-30-18


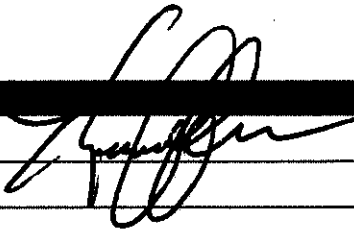


EXHIBIT U6

Facility Manager's Appeal Response
SCI-Huntingdon
1100 Pike St.
Huntingdon, PA 16654-1112

D1005

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name:	Gartor Brown	Inmate Number:	NA6401
Facility:	HUN	Unit Location:	GD-Unit
Grievance:	723206		
<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely			
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
<p>In reviewing your grievance and appeal, I note that your concern with your mail was appropriately addressed by Mr. Kendrick. In your appeal, you argue that officers are delivering your legal mail and grievance responses to other inmates because they dislike you. You discuss another inmate's situation and complain about the RHU officers. These issues were not presented in your initial grievance and they will not be addressed in this appeal. In your initial grievance, you complain that you did not get the certified mail receipts from legal mail you sent out. In his response to your initial grievance, Mr. Kendrick explains he researched the tracking numbers you provided, and he explains the route your mail took. I have also checked your tracking numbers, including the one you added in your appeal, and I have attached the information provided by USPS. As Mr. Kendrick notes, it is clear your mail was sent out; however, we cannot be responsible for why you didn't receive the receipts or what happened to it once it left the institution mailroom. I find your mail has been handled appropriately, and your request for punitive and monetary damages is denied.</p> <p>In closing, I can only reiterate that I uphold the response provided by the grievance officer. Your grievance is found to be without merit.</p>			
Signature:	Kevin Kauffman		
Title:	Facility Manager		
Date:	4-25-18		

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
Effective: 12/8/2010

Attachment 2-B

Gartor Brown

Exhibit VI-B

DC-804
Part 1
Rev 9/2010

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE
723205
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Green</i>	FACILITY: <i>CH</i>	DATE: <i>2/21/19</i>
FROM: (INMATE NAME & NUMBER) <i>Gaila Brown NA6101</i>	SIGNATURE OF INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT: <i>GA-105</i>	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

Brown is claiming retaliation all grievances & sick calls has been subject to being put in the mail box, for the past 15 business days. All Brown sick calls & grievances has not been answered pursuant to his sexual assault claims & his injuries has not been address for those sick calls. On 2/20/19 around 8:15 PM the camera will show Coplin dropping all requests, mail, sick calls, grievances in the mailbox, on 2/15/19 it will show Coplin doing the same thing. Brown then asked Coplin why they was doing this, he asserted "because your rat & now you got the block that for 15 business days all your grievances & sick calls will go missing, if we put it in the mail box, the mail lady works for us. After 15 business days you will be time bar then your grievances will start going back in the mail box. He also asserted "medical do not want to see you, they will only see you through the door we know your not going to tell them your bleeding from your ass."

B. List actions taken and staff you have contacted, before submitting this grievance.

through the door because other inmates & going to here you and you will be subject to more harassment, & they are not going to do shit for you!! Everything Coplin told Brown is what been going on. None of Brown's grievances has been answer in 15 business days, Brown talked to Lt. Young, Lt. Barker & Sgt. Hester, they called him a rat, & told him to sew his razor, also a nigger that will soon be deported.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

Exhibit V2

INITIAL REVIEW RESPONSE

SCI-Huntingdon
1100 Pike St.
Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name:	[REDACTED]	Inmate Number:	NA6401
Facility:	Huntingdon	Unit Location:	[REDACTED]
Grievance #:	723205	Grievance Date:	2/21/18
Decision:			
<input type="checkbox"/> Uphold Inmate <input checked="" type="checkbox"/> Grievance Denied <input type="checkbox"/> Uphold in Part/Deny in Part			
<i>It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.</i>			
Response:	Frivolous		
<p>I have received your grievance in which you allege that all your mail, grievances, request slips and sick call slips are being tampered with. I have investigated your grievance and my findings are as such, Staff are depositing your mail, grievances, request slips and sick call slips in the appropriate mail boxes. Furthermore you are allowed to take your mail, request slips, sick call slips and grievances with you when you exit your cell for yard or law-library etc... and deposit it in the correct box. Also medical comes around 3 times a day and you can give them your sick call slip, I walk around the housing unit usually every day and I do see you standing on your door and you can give it to me to deposit. There are numerous opportunities for you to get your items sent out to the proper individuals.</p> <p>For the above reasons this grievance is denied and no relief was sought.</p> <p><i>egreen</i></p>			
Signature:	<i>C. K. [Signature]</i>		
Title:	RHU/DTU UM		
Date:	3/11/2018		

cc: Superintendent
DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 1 - Grievances & Initial Review

Issued: 12/1/2010
Effective: 12/8/2010

Attachment 1-D

Exhibit V3

SCI
APPEAL TO FACILITY MANAGER
GRIEVANCE

Inmate Number	NAME	HOUSING UNIT	DATE	GRIEVANCE#
MA6401	Gartor Brown	640	3/26/18	723205

I received my initial response from the Grievance Office/Coordinator on _____ and have the following appeal issues:

Refer to DC-ADM 804, Grievance Appeal Procedures, for complete instructions.

Please provide a BRIEF (no longer than two pages) appeal statement.

Your investigation is COZENAGE. Inadequate and discurserne; you do not walk the Unit everyday and when you do your actions are discriminatory like Mis Green "face book page". You only stop and talk to white inmates. Now lets adress Brown's issues. Kauffman do your holoks have cameras? "Yes they do"! Brown qured officials, times ^{dates} 8:15 pm, date 2/20/18 and name of Co Devenant. 8:02 pm Co plodnik 2/15/18. Your findings are diffusing this is not a dispute; It's clear policy that the cameras are disreputable if it's not benefircial to official's findings Brown is claiming disreput, harassment and is seeking money damages in what ever the courts deem necessary in punitive and compensatory

INMATE SIGNATURE: _____

DC-ADM 804, Inmate Grievance System Procedures Manual

Section 2 – Appeals

Issued: 12/1/2010

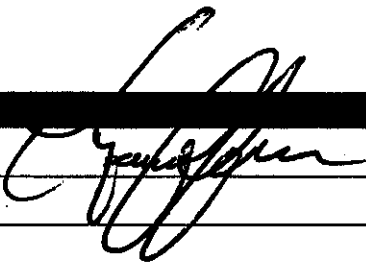
Effective: 12/8/2010

Attachment 2-A

EXhibit V4

Facility Manager's Appeal Response
SCI-Huntingdon
 1100 Pike St.
 Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name:	Gartor Brown	Inmate Number:	NA6401
Facility:	HUN	Unit Location:	GD-Unit
Grievance #:	723205		
Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely		
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
Response:	Rationale:		
<p>In reviewing your grievance and appeal, I note that your concern with your mail and other correspondence was appropriately addressed by Mr. Kendrick. In your appeal, you argue the camera would clearly show your due process rights being violated. In his response to your initial grievance, Mr. Kendrick explains that staff are depositing all your mail in the appropriate boxes on the unit. Mr. Kendrick also points out, you are permitted to carry your correspondence with you when you leave your cell for activities and to have it placed in the boxes. Based on the number of grievances and grievance appeals you have submitted, I find it is highly unlikely your mail is being tampered with, and a review of video is not necessary. I find no evidence of harassment and your request for money damages is denied.</p> <p>In closing, I can only reiterate that I uphold the response provided by the grievance officer. Your grievance is found to be without merit.</p>			
Signature:	Kevin Kauffman		
Title:	Facility Manager		
Date:	4-27-18		

cc: DC-15
 File

DC-ADM 804, Inmate Grievance System Procedures Manual

Section 2 - Appeals

Issued: 12/1/2010
 Effective: 12/8/2010

Attachment 2-B

2018

EXhibit VS

FINAL APPEAL DECISION DISMISSAL
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

This serves to acknowledge receipt of your appeal to final review for the grievance identified below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System," this Office has reviewed all documents provided as part of the grievance record. Upon consideration of the entire record, it is the decision of this office to dismiss your appeal to final review due to a failure to comply with the provisions of the DC-ADM 804, as specified below.

Gartor Brown		NA6401
Huntingdon		Huntingdon
723205		
Dismiss		
	1) Your grievance was properly rejected at the facility level for the reason(s) outlined below.	
X	2) Your grievance is being dismissed at the final appeal level for the reason(s) outlined below.	
	1. Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator.	
	a) DC ADM 008 Prison Rape Elimination Act (PREA) – allegations of a sexual nature against a staff member and/or inmate-on-inmate sexual contact	
	b) DC ADM 801 Inmate Discipline/Misconduct Procedures	
	c) DC ADM 802 Administrative Custody Procedures	
X	2. The grievance or <u>appeal</u> was not submitted within fifteen (15) working days after the events upon which claims are based.	
	3. Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.	
	4. The grievance was not signed and/or dated with correct commitment name, number, contained UCC	

Grievance Appeal # ~~723205~~ 723205 To Secretary Office, Gartor Brown NA6401

Brown takes an Affirmative stand in all his claims and damages asked for. Brown gives officials true and dates of officials putting grievances in the mail box in which he was not getting responses and nothing was done. Brown also made countless phone calls to Plocinik and nothing has been done to investigate or discipline this CO. Brown last got a response to this incident back on 5-26-18 but it's Brown's Block. Note CO Plocinik is the same one that passes out the grievances on Brown's Block.

EXhibit VS

Exhibit W-1

DC-804
Part 1
Rev 9/2010COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598FOR OFFICIAL USE
725226
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Brown</i>	FACILITY: <i>SC-1</i>	DATE: <i>3/18/18</i>
FROM: (INMATE NAME & NUMBER) <i>Carl Brown 04011</i>	SIGNATURE OF INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: <i>—</i>	HOUSING ASSIGNMENT: <i>0D105</i>	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

on 2/25/18 during Property Exchange Brown noticed he was missing a box of legal work. Brown made co Placnik aware, he told Brown to stop writing grievances on staff. Brown then attempted to get a box of legal work that was there he was denied & was told to only grab a couple case laws. Brown told placnik he did not have any legal work in his cell that's why he brought none but to exchange. Co placnik told Brown he was aware. Brown then asked why his grievance pursuant to his missing summary was never responded to after he handed to placnik. He asked if his account statement & property sheet as occur on 2/21/18. Co placnik asserted it went in the trash. Brown is claiming due process, retaliation, negligence, racial protection, failure to train & discipline, in which Krapfman is liable & must make a difference. Brown is seeking damages for his missing legal work.

B. List actions taken and staff you have contacted, before submitting this grievance.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 1 – Grievances & Initial Review

Attachment 1-A


Issued: 12/1/2010
Effective: 12/8/2010

EXhibit W2

INITIAL REVIEW RESPONSE

SCI-Huntingdon
1100 Pike St.
Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name:	[REDACTED]	Inmate Number:	NA-6401
Facility:	SCI Huntingdon	Unit Location:	[REDACTED]
Grievance #:	725226	Grievance Date:	3-8-2018
Publication (if applicable):			
Decision:	<input type="checkbox"/> Uphold Inmate <input checked="" type="checkbox"/> Grievance Denied <input type="checkbox"/> Uphold in Part/Deny in Part		
It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.			
Response:	Envolous		
<p>I have investigated your grievance where you claim that on 2/25/2018 you discovered you were missing a box of legal work while doing a legal exchange. My findings are as follows: I have reviewed your Property inventory sheet DC-153 #A-102775 dated 1/22/2018 it shows that at the time your property was inventoried you had 2 boxes of property that was stored in section 3. I went to the property room and you have 2 boxes of property stored in section 3. Therefore all of your property that was inventoried on 1/22/2018 is still present in the RHU property room. Since all of your property is accounted for I must deny your grievance.</p> <p><i>green</i></p>			
Signature:	R. Dunkle 		
Title:	CO3		
Date:	4-1-18		

CC: Superintendent
DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 1 - Grievances & Initial Review
Issued: 12/1/2010
Effective: 12/8/2010

Attachment 1-D

Grievance # 725226 Appeal to Facility Manager

Brown is claiming inadequate access to the court, retaliation, discrimination, negligence, emotional distress. Brown did not sign his Property Sheet on 1/22/18 in which it was clear he was missing all of his commissary from his cell. Brown was also aware he was missing legal work but was unaware how much. On 2/25/18 when Brown went to do his legal exchange he noticed he was missing a hole box of legal work make more. This is clearly hurting Brown's current litigation. Brown is unable to appeal cases because he does not have the legal papers needed. Brown is also fighting a criminal appeal in which he drafted his own motion. After his legal box went missing he had to tell his lawyer to ask for an extension of time. Brown's appeal was dismissed in a civil matter or in two civil cases because he was unable to produce all his legal papers from those cases was in that box. Dunkle asserted he found 2 boxes of Brown's Property during the investigation. There were the same two boxes.

Brown seen when he went for his legal exchange one of of Doc Property and the other was legal work. Brown had over 2 1/2 boxes of legal work alone make even 3 boxes fill up with no room. Brown is also a claimant for failure to train & discipline in which Policy makers Kieffman and Kendrick is also liable as well as Property Sgt John Doe and Co. R. Locinik.

Brown is asking for Compensatory and Punitive damages in \$ 300,000 this is a clear custom in which there are no cameras in the Property room.

Exhibit W3

4/2/18

Gastor Brown NA6401

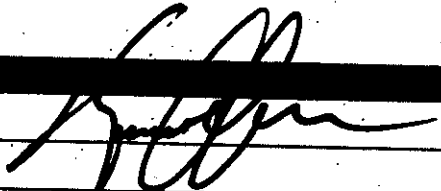
Sign 

Exhibit W4

Facility Manager's Appeal Response
SCI-Huntingdon
 1100 Pike St.
 Huntingdon, PA 16654-1112

D1006

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name	Gartor Brown	Inmate Number	NA6401
Facility	HUN	Unit Location	GD-Unit
Grievance #	725226		
Decision	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold In part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely		
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
Response			
<p>In reviewing your grievance and appeal, I note that your concern with your property was appropriately addressed by Lt. Dunkle. In your appeal, you point out you did not sign your property inventory on 1-22-2018 as you were missing all your commissary. While it is true you did not sign DC153 #A102775 and you filed grievance #718481 concerning missing commissary, this grievance was rejected because you did not provide the necessary documentation to have your concern investigated. The rejection was upheld through the final level by SOIGA. This issue will not be addressed again in this appeal. Regarding the box of legal material you claim is missing, Lt. Dunkle explains the property inventory done on 1-22-18 shows you had two boxes of property in Section 3. When he checked the property room in response to this current grievance, he found you had two boxes of property stored in Section 3. I requested a copy of DC153 #A102775 which reflects this information. You did not mention any missing legal property in grievance #718481, and you have provided no further documentation to dispute Lt. Dunkle's findings. I find no evidence of retaliation or negligence.</p> <p>In closing, I can only reiterate that I uphold the response provided by the grievance officer. Your grievance is found to be without merit.</p>			
Signature:	Kevin Kauffman		
Title:	Facility Manager		
Date:	5-15-18		

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
 Effective: 12/8/2010

Attachment 2-B

EXHIBIT X

731066

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONSFOR OFFICIAL USE
731066
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Green</i>	FACILITY: <i>SCI H</i>	DATE: <i>4/26/18</i>
FROM: (INMATE NAME & NUMBER) <i>Garter Brown NA6461</i>	SIGNATURE OF INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: <i>[Blank]</i>	HOUSING ASSIGNMENT: <i>60105</i>	

INSTRUCTIONS:

1. Refer to the DC-ADM 804, Inmate Grievance System.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

On 4/10/18 during dinner trays Brown cell light was on while Comptech came to Brown's cell. Brown was using the bathroom. Comptech asserted to Brown that "homosexuals has little dicks" because they never have to like them. Brown asked him what he was talking about he asserted "You have a little dick, and you are a homosexual?" Brown then asked why he was claiming his name after countless report of sexual harassment allegations? He told Brown "Go lay in your bed, stick your thumb up your ass, then in your mouth, suck on it and act like it's Allen's" dick. He then asserted to Brown "I'm not eating this shit". This grievance was denied in which was contrary to Policy. The DC-ADM 804 and 808 clearly states inmates can report these claims through the grievance system or through a third party. Witness #1 was harassed by officials and he asserted to Brown he did not want Brown using his statement nor did he want to be a witness because of retaliation reasons. Brown then asked witness #2 for a statement Mr. Ivay. Witness #2 wrote a statement for Brown. Brown then gave it to his counselor. Brown did not come out the cell when he was asked by officials because every time he comes out the cell he is subject to oral threats from other inmates in which they are planning to kill Brown if he goes to population. Brown is claiming retaliation, discrimination, failure to train or supervise.

B. List actions taken and staff you have contacted before submitting this grievance.

emotion of distress, in which he states he claims against Koryn Minter, Kendrick, Kaufman, Dunkle & Vohn. These officials has said to keep the co. away from Brown in which a co separation must be effective after such claims.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy


GRIEVANCE REJECTION

SCI-Huntingdon
1100 Pike St.
Huntingdon, PA 16654-1112

EXhibit X 2

D1005

This serves to acknowledge receipt of your grievance to this office. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System," I have reviewed all documents provided as part of the grievance. Upon consideration of the grievance, it is the decision of this office to reject your grievance due to a failure to comply with the provisions of the DC-ADM 804, as specified below.

Gartor Brown		NA6401
HUN		GD-Unit
731066		
Rejection		
<input checked="" type="checkbox"/>	Your grievance is being rejected for the reason(s) outlined below.	
<input checked="" type="checkbox"/>	1. Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator.	
<input checked="" type="checkbox"/>	a) DC ADM 008 Prison Rape Elimination Act (PREA) - allegations of a sexual nature against a staff member and/or inmate-on-inmate sexual contact.	
	b) DC ADM 801 Inmate Discipline/Misconduct Procedures	
	c) DC ADM 802 Administrative Custody Procedures	
	d) DC ADM 803 Inmate Mail and Incoming Publications, Section 3, E.	
	2. The grievance was not submitted within 15 working days after the events upon which claims are based.	
	3. Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.	
	4. The grievance was not signed and/or dated with correct commitment name or number, contained UCC references, or was not presented in proper format.	
	5. Grievance must be legible, understandable, and presented in a courteous manner.	
	6. The grievance exceeded the two page limit. Description needs to be brief.	
	7. Grievance does not indicate that you were personally affected by a DOC or facility action or policy.	
	8. Grievances based upon different events must be presented separately.	
	9. The issue(s) presented on the attached grievance has been reviewed or is currently being reviewed and addressed in prior grievance _____.	
	10. Group grievances or grievances filed on behalf of another inmate are prohibited.	
	11. Grievance disputes previous grievances, appeal decisions, or staff members who rendered those decisions.	
	12. You are currently on grievance restriction. You are limited to one grievance every 15 working days. Last grievance # _____, submitted on _____.	
	13. You have not provided this office with the required documentation for proper review such as a DC153A Personal Property Inventory Sheet, Confiscated Items Receipt, Commissary/Outside Purchase Form, or documents outlined on the DC ADM 005 Notification of Deductions memo and/or the Notification of Amended Deductions memo.	
	14. The publication appeal did not include a copy of the Notice of Incoming Publication Denial form (Attachment 3-B of DC ADM 803).	
Sexual abuse is taken seriously by the Department of Corrections. Any allegations of a sexual nature (abuse/harassment) against a staff member or inmate-on-inmate sexual contact must be investigated to make sure that inmates are safe in this facility. This grievance has already been forwarded to the Security Department and the PREA Compliance Manager to start that investigation.		
Signature:		
Title:	Facility Grievance Coordinator	
Date:	4-24-18	

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual

Section 1 – Grievances & Initial Review

Issued: 1/26/2016
Effective: 2/16/2016

Attachment 1-C

Brown has asserted an Affirmative stand pursuant to his claims against this Mr. Polcink. This is not Brown's first claim against this official. Brown claims can be addressed through the 804 pursuant to 008 and DC ADM 001 in which officials are aware of. Brown also passed his Counsel a statement from a witness #2, this action asserted she gave it to another actor Maxwell in which the Counsel is a third party. Brown claims has not yet been addressed by P.E.R.A. if this jail is choosing not to address his claims through the 804.

Exhibit X 3

5-3-18

Gator Brown NAG 101

Facility Manager's Appeal Response

SCI-Huntingdon

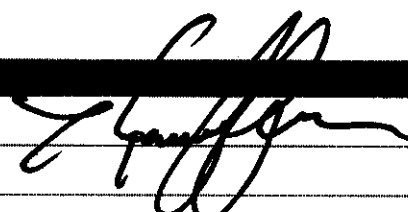
1100 Pike St.

Huntingdon, PA 16654-1112

EXhibit X4

D1006

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name:	Gartor Brown	Inmate Number:	NA6401
Facility:	HUN	Unit:	GD-Unit
Grievance:	731066		
<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part			
<input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely			
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
<p>In reviewing your initial grievance and appeal, I note your original grievance was rejected because grievances related to DC ADM 008 PREA shall be handled in accordance with the procedures outlined in that policy and will not be reviewed by the grievance coordinator. In your appeal to this rejected grievance, you argue this is not your first claim against CO Plocinik and none of them were addressed. DC ADM 804 clearly states that claims of sexual abuse or sexual harassment will not be addressed by the inmate grievance system. I find grievance #731066 has been properly addressed.</p>			
Signature:	Kevin Kauffman		
Title:	Facility Manager		
Date:	6-1-18		

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
Effective: 12/8/2010

Attachment 2-B

Brown takes an Affirmative Stand Pursuant to his claims.

Brown is aware that any Abuse Allegations DC ADM 601 or DC ADM 804 could be taken up with the inmate Grievance system DC-ADM 804.

Brown also made this P.R.E.A. LT Maxwell aware of his claims in which nothing has been done. Maxwell claims it's under investigation but is aware the same c/o is still working the block free to harass Brown.

Brown then gave his counselor a written statement from another inmate

Ivan Castillo LS 3066 in which he witness c/o Ploink actions. Brown asked his counselor Rochak to make copies and bring him a copy at no time did she refuse. This statement was then confiscated. Brown counselor told him she gave it to LT Maxwell and he has to ask Maxwell. Brown then wrote Maxwell over three times and did not get a response. Brown then wrote Mrs Green Pursuant to receive a copy of the statement written by Ivan Castillo.

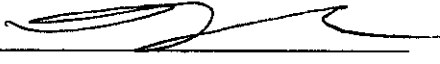
She claims she knows nothing about it. Brown has talked to LT Frank he asserted he would send a e-mail to Maxwell. Brown again asked his counselor to give him a copy of the statement and she refused.

The statement also included that Gang member from the Violent Lifer Gang is planning an attack on Brown once he gets to Population's member from the Lifer Gang told Ivan Castillo this. Brown is claiming harassment, retaliation, emotional distress discrimination, failure to train or supervise against prison makers Keadrick, Knutman, Bunkle, Yohn and is seeking punitive compensatory damages in 200,000.

Exhibit X 5

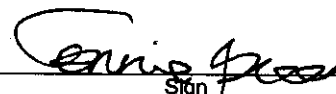
Dated 8-12-18



Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) Miss Green		2. Date: 5-21-18 D1006	
3. By: (Print Inmate Name and Number) Garfor Brown NA6461  Inmate Signature		4. Counselor's Name _____	
6. Work Assignment		5. Unit Manager's Name Kendrick	
		7. Housing Assignment 6D106	
8. Subject: State your request completely but briefly. Give details.			
<p>Miss Green Apparently I gave my counselor Miss Richards a statement written by a Ivan Castillo LS3066 pursuant to Grievance # [REDACTED]. I gave her the statement asking her to make a copy for me in which she did not refuse. She came back asserting she gave the statement to LT Maxwell and I would have to get the copy from him. She also claim that she ask or told Maxwell to send me a copy which is Policy. I then wrote Maxwell "how many and he has not send the copy. By Policy that copy would have to be put in my file, on which I can get a copy. That's when I wrote you asking to get me that copy.</p> <p>Thanks for your time</p>			
<p>Mr Brown. I know of no such statement. I cannot help you with this.</p>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/> file 731066	

Staff Member Name _____

Print



Sign

Date

6-18-18

EXHIBIT X 7

Form DC-135A

INMATE'S REQUEST TO STAFF MEMBER

D1006

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

~~1. To: (Name and Title of Officer)~~

2. Date:

4/30/18

3. By: (Print Inmate Name and Number)

Garth Brown WAC 401

4. Counselor's Name

5. Unit Manager's Name

Kendrick

6. Work Assignment

7. Housing Assignment

8. Subject: State your request completely but briefly. Give details.

Brown is asking for his claims against Mr. Co. plainik to be address. Although policy clearly states Brown could address those ~~and~~ claims through the Soc officials are denying Brown's grievance and asserting he should address it with KERA. Brown is also a worker that his claims could be brought to officials attention through a third party. Brown gave his counselor a statement from a witness asking for a copy back, this counselor came back a week later asserting to him that he would have to get the copy from one Maxwell. Brown is asking for a copy of his statement and for his claims to be addressed.

End of Report

Your claims are currently under
investigation.

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

Staff Member Name

Maxwell
Print

Sign

Date

5/3/18

**Pennsylvania Correctional Industries
Offender Receipt - Commissary**

Date Report Generated: 01/04/2018 12:44:45 000008878435

Inst.: HLIN Case ID: NA6401 Name: BROWN, GARTOR K
Order: 000008878435 Date: 01/04/2018 Housing Unit: A-A-1-008 Batch: 033

No.	Item #	Description	Qty	Item Price	Item Total
1	00004	RAMEN NOODLES CHILI FLVR 30Z	30	0.28	8.40
2	05616	CREAM CHEESE POUND CAKE 2PK 40Z ****K	2	0.63	1.26
4	07400	HOT CHILI W/BEANS 11.250Z ****GF	1	1.39	1.39
5	07413	BEEF SUMMER SAUSAGE HOT 50Z	2	1.50	3.00
6	09206	SKINS IN HOT SAUCE 3.530Z ****H,GF	1	0.76	0.76
7	10002	INSTANT RICE 80Z ****K	2	0.92	1.84
8	10000	VELVEETA SPICY CHILESY RICE 20Z ****K,H	1	0.59	0.59
9	10001	VELVEETA CHSY REFRIED BEANS 40Z ****K,H	1	0.90	0.90
10	09207	MARCEL FLTS IN BKINE 3.530Z ****K,H,H/A	2	0.89	1.78
11	10600	HABANERO CHEESE 80Z	2	1.30	2.60
12	11400	MILD DILL PICKLE ****K,GF	1	0.56	0.56
13	15005	BBQ CUPN CHIPS 120Z****K,H,GF	2	1.43	2.86
14	15006	NACHO CHEESE CHIPS 100Z****K,H,GF	1	1.25	1.25
15	16200	CHEESE PUFFS 100Z ****K,H,GF	2	1.52	3.04
16	16409	CHEX MIX TRADITIONAL 8.750Z ****K	1	1.84	1.84
17	17013	STARLITE MINTS 3.750Z	1	0.53	0.53
18	25906	ANTIBACTERIAL WHITE SOAP 50Z	2	0.50	1.00 *
21	42399	KRAFT ENVELOPE BROWN 10 x 15	4	0.16	0.64 *
22	42300	\$10 PHONE CARD	1	10.00	10.00 *

Total Cost of Issued Items: 44.32 (Commissary - pre-tax)

Out of Stock/Auto Refund: 1.24 (Commissary - pre-tax)

Overall Order Subtotal: 45.56

Overall Order Total: 46.78 (GACTPA: 0.70)

OUT-OF-STOCK ITEMS (Commissary)

No.	Serial Number(s)	Item #	Description	Qty.	Item Price	Reason
		05604	ICED CINNAMON ROLL 40Z ****K	2	0.62	Out of Stock

REJECTED ITEMS

Item #	Description	Qty.	Reason
92016		1	MATERIAL NOT IN THE CATALOG
29370		1	MATERIAL NOT IN THE CATALOG

Received by Offender:
Witnessed By:

Date:
Date:

Exhibit Y1

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

FOR OFFICIAL USE

718481
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY:	DATE:
FROM: (INMATE NAME & NUMBER)	SIGNATURE OF INMATE:	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT:	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

I will like to preserve the tape from block AA on 1/22/18 from 3:30 through 7:00 PM. The jail is liable for an inmate property when he is transfer from one part of the jail to another in which he is told off kids will bring his property down. Brown is claiming negligence. This inmate has receipts for his commissary in the inmate commissary system. This inmate commissary went missing after he was taken to the hole from his cell on A Block. This inmate had all his commissary packed in a yellow bag along with other property. never the less this inmate commissary never made it. 2 bag of Glen chips, two bags of chess cake, 1 bag of niches chips, 1 bag of party mix, one bag ment candy, 29 chili flavor ramen, two chess cake, 2 summer sausage, 4 sardines, 2 pack of white rice, 1 pack of chessey rice, 1 refeed beans, 2 packs of mackerel, two cheese habanero, 2 pickles, 500 hyattington is liable for their custom of bringing inmate property down to the hole in which there is no camera in the property room.

B. List actions taken and staff you have contacted, before submitting this grievance.

EO's told Brown they called to have Brown's commissary or missing commissary investigated, in which the same is that wrote Brown up was investigating where Brown's missing commissary was. Brown's property was never recovered in which is common at this jail. Brown is asking for his money or commissary back with due respect.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy CANARY File Copy PINK Action Return Copy
GOLDEN ROD Inmate Copy

EXHIBIT Y 2


GRIEVANCE REJECTION

SCI-Huntingdon

1100 Pike St.

Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance to this office. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System," I have reviewed all documents provided as part of the grievance. Upon consideration of the grievance, it is the decision of this office to reject your grievance due to a failure to comply with the provisions of the DC-ADM 804, as specified below.

Inmate Name:	Gartor Brown	Inmate Number:	NA6401
Unit:	HUN	Unit Location:	GA-Unit
	718481		
Rejection			
<input checked="" type="checkbox"/>	Your grievance is being rejected for the reason(s) outlined below.		
Rationale:			
	1. Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator.		
	a) DC ADM 008 Prison Rape Elimination Act (PREA) - allegations of a sexual nature against a staff member and/or inmate-on-inmate sexual contact.		
	b) DC ADM 801 Inmate Discipline/Misconduct Procedures		
	c) DC ADM 802 Administrative Custody Procedures		
	d) DC ADM 803 Inmate Mail and Incoming Publications, Section 3, E.		
	2. The grievance was not submitted within 15 working days after the events upon which claims are based.		
	3. Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.		
	4. The grievance was not signed and/or dated with correct commitment name or number, contained UCC references, or was not presented in proper format.		
	5. Grievance must be legible, understandable, and presented in a courteous manner.		
	6. The grievance exceeded the two page limit. Description needs to be brief.		
	7. Grievance does not indicate that you were personally affected by a DOC or facility action or policy.		
	8. Grievances based upon different events must be presented separately.		
	9. The issue(s) presented on the attached grievance has been reviewed or is currently being reviewed and addressed in prior grievance		
	10. Group grievances or grievances filed on behalf of another inmate are prohibited.		
	11. Grievance disputes previous grievances, appeal decisions, or staff members who rendered those decisions.		
	12. You are currently on grievance restriction. You are limited to one grievance every 15 working days. Last grievance # , submitted on		
<input checked="" type="checkbox"/>	13. You have not provided this office with the required documentation for proper review such as a DC153A Personal Property Inventory Sheet, Confiscated Items Receipt, Commissary/Outside Purchase Form, or documents outlined on the DC ADM 005 Notification of Deductions memo and/or the Notification of Amended Deductions memo.		
	14. The publication appeal did not include a copy of the Notice of Incoming Publication Denial form (Attachment 3-B of DC ADM 803).		
Signature: 			
Title: Facility Grievance Coordinator			
Date: 1-30-18			

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual

Section 1 – Grievances & Initial Review

Issued: 1/26/2016

Effective: 2/16/2016

Attachment 1-C

Exhibit
Y3

[illegible]

All property is/was present and accounted for. No property was missing and/or damaged. Property exceeding the allowable property limit has been addressed per the applicable policy. Excess property in the form of legal property (active cases only) is in accordance with Department policy 6.3.1 Section 20. The inmate has been informed that allowable property must be contained in the containers permitted by the applicable policy. Inmate's signature above acknowledges accuracy.

of Boxes:

WHITE - DC-15 AFTER PROCESSING COMPLETED
CANARY - INMATE COPY AFTER ALL PROCESSING COMPLETED

PINK - SENDING FACILITY COPY OR MAILROOM, IF APPLICABLE
GOLDENROD - INMATE COPY WHEN ITEMS ARE INVENTORIED

EXHIBIT X S

Grievance # 718481 TO Secretary's Office

Gert for Brown NA 6/10/1

Brown brings Municipality claims of failure to train or discipline against Policy Makers John Wetzel, Kevin Kauffman, Mandy Sipple. Brown also brings claims of retaliation and negligence against Sgt. Moore & Co Plucinik, Property Sgt John Doe.

Pursuant to DC ADM 815 Brown had commissary in his cell. After Brown was written up on 1/22/18 Sgt Moore told Brown he will not be getting out of his Property because he likes to put in law suits and file grievances on staff. While inmates cannot recover from a municipality on a theory of respondent superior, they can recover if they show that a municipal policy or custom directly caused constitutional violations. Officials has a pattern of mistreating inmates. Property Officer wrote up. It's clear policy that a inmate is cuffed then walked down to the Pit & after a write up with out any of his Property, inmates like Brown then depends on officials to bring their Property down to the RHU. Brown is attacking this policy, because many inmates like Brown, Ben Weis, Setu Lopez, Mike Brown Property becomes missing. It is as common as working on the walls in the cells. Officials do one or two things tell the inmate cell to back his Property or a block worker, these actors are free to steal. Sometimes that official him self takes out of that inmate's Property in it's foot he can eat or state book he can give to another inmate. In which was the case when Mike Brown seen his Business State book with another inmate. That inmate claimed the same officials that wrote Brown up given him the State Books. Same case with Setu Lopez, his \$250.00 TV went missing after a write up. Officials told Lopez that if did not know what happened to his TV. He then wrote a grievance to Preserve the take because there are cameras on every block. Officials then conspired in denier his grievance asserting he can not get a refund because at the time of his first grievance, he fail to produce a receipt. Lopez then appealed asserting he was unable because of the restrictions of the RHU in which he wrote records, commissary, and inmate accounts of any documentation proving that he paid for a TV. Once these officials was aware his TV was missing, they deliberately conspired in a sinister-like pattern to keep Lopez it was not in the system, or to write audits offically in which all officials are aware after 15 business days all grievances are dismissed for time bar. Lopez never received on his TV, nor did Ben Weis for his broken Keyboards. Lopez did return to his block unit after his RHU Times came to find out a block worker had his TV & claim a Sgt Moore gave it to him. Pursuant to all these cases, no officials were discipline for their actions.

Officials has ignor the need for an alternative pursuant this policy such as inmates with not violent write ups back their own Property, or inmates Property is to be parked on Camera, or officials should have the burden of producing all inmates receipt for any missing Property claims while an inmate is in the RHU.

Officials deliberately targeted Brown, telling him he was not going to get his Property because he file law suits & grievances on officials. When Brown went to the Property room for his inventory he refused to sign because he notice his missing all his commissary and a record center box of real work that is addressed in another grievance. Brown was told by both Co Plucinik and Property Sgt John Doe that law suit suits don't get their Property send down, that was why this was not camera in the Property room. Brown then wrote a grievance it was denied because official claimed he did not have a copy of DC 153A or commissary receipt. Brown then attempt to make a copy of the only form of DC 153A he had but he was deprived request says so brown send in his DC 153A with an inmate account statement he had just gotten with his appeal. His appeal was then denied by Kauffman. Kauffman was indifference to the fact that the RHU Post Hardship on inmates & they must rely on the same officials they grievance to give them grievances & requests. Kauffman also asserted because brown fail to refute that grievance that was denied that the jail is not liable for his missing Property. Kauffman actions shows a sinister-like conducts in which he is not addressing the issue of habit and discipline. The fact that though Brown did not produce documentation in his first grievance, he did with his appeal. He is also aware of how many other claims of missing Property he has to address because of the on going customs of officials stealing or mismanaging. Kauffman is also aware that there is no camera in his Property room & has fail to train or discipline any of his officials for wrong doing. This is not the first time Brown had missing Property at the hands of officials.

Facility Manager's Appeal Response


SCI-Huntingdon

1100 Pike St.

Huntingdon, PA 16654-1112

EXhibit YB

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name:	Gartor Brown	Inmate Number:	NA6401
Facility:	HUN	Unit Location:	GD-Unit
Grievance #:	718481	D1005	
Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely		
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
Response:	Frivolous		
<p>In reviewing your initial grievance and appeal, I note your original grievance was rejected because you did not provide the required documentation with your grievance. In your appeal to this rejected grievance, you argue you are unable to make copies because you are currently in the RHU. You submit two CIRs, a DC153, and a monthly account statement with your appeal. RHU inmates are able to have copies made in the library weekly, and if you are indigent, there is a procedure in place to anticipate the cost of copying. Your argument that you couldn't make copies while in the RHU has no merit. In addition, you could have resubmitted your grievance with the noted documents attached; however, you instead chose to submit an appeal. I must agree grievance, #718481 has been properly rejected.</p>			
Signature:	Kevin Kauffman 		
Title:	Facility Manager		
Date:	3-8-18		

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
Effective: 12/8/2010

Attachment 2-B

2018

Exhibit Y 6

FINAL APPEAL DECISION DISMISSAL
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

This serves to acknowledge receipt of your appeal to final review for the grievance identified below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System," this Office has reviewed all documents provided as part of the grievance record. Upon consideration of the entire record, it is the decision of this office to dismiss your appeal to final review due to a failure to comply with the provisions of the DC-ADM 804, as specified below.

Gartor Brown		NA6401
Huntingdon		Huntingdon
718481		
Dismiss		
	1) Your grievance was properly rejected at the facility level for the reason(s) outlined below.	
X	2) Your grievance is being dismissed at the final appeal level for the reason(s) outlined below.	
	1. Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator.	
	a) DC ADM 008 Prison Rape Elimination Act (PREA) – allegations of a sexual nature against a staff member and/or inmate-on-inmate sexual contact	
	b) DC ADM 801 Inmate Discipline/Misconduct Procedures	
	c) DC ADM 802 Administrative Custody Procedures	
X	2. The grievance or <u>appeal</u> was not submitted within fifteen (15) working days after the events upon which claims are based.	
	3. Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.	
	4. The grievance was not signed and/or dated with correct commitment name, number, contained UCC references, or was not presented in proper format.	
	5. Grievance or appeal must be legible, understandable, and presented in a courteous manner.	
	6. The grievance or appeal exceeded the two-page limit. Description needs to be brief.	
	7. Grievance does not indicate that you were personally affected by a Department or facility action or policy.	
	8. Grievances based upon different events must be presented separately.	
	9. The issue(s) presented on the attached grievance has been reviewed or is currently being reviewed and addressed. Prior grievance #	
	10. Group grievances or grievances filed on behalf of another inmate are prohibited.	
	11. Grievance disputes previous grievances, appeal decisions or staff members who rendered those decisions.	
	12. You are currently on grievance restriction. You are limited to one grievance every 15 working days. Last grievance # was submitted on	
X	13. You have not provided this Office with required and/or legible documentation for proper review.	
	14. An appeal to final review is not permitted when you fail to comply with submission procedures.	

A copy of your appeal to the superintendent and the superintendent's response was not received with your appeal. Further, review of the grievance tracking system finds that the superintendent responded to your appeal on 3/8/18 but your appeal was not postmarked until 4/9/18. Therefore, your appeal to this office is dismissed.

Signature:	Dorina Varner <i>Vari Varner for</i>
Title:	Chief Grievance Officer
Date:	4/18/18

DLV/kim


cc: DC-15/Superintendent Kauffman
 Grievance Office

ED

Exhibit 2 (1)

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONSFOR OFFICIAL USE
727104
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR	FACILITY: SCI #	DATE: 3/17/18
FROM: (INMATE NAME & NUMBER) Gordon Brown 16441	SIGNATURE OF INMATE: 	
WORK ASSIGNMENT:	HOUSING ASSIGNMENT: GD 105	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8 1/2" x 11" page). State all relief that you are seeking.

Brown has repeatedly told Correctional officers that other inmates know about his cooperation with LT. Maxwell and the State Police and has constantly threatened him with violence. This is a case of credible fear in which Brown can't even come out his cell without death threats from inmates, which is also motivated by officials. Brown is claiming negligence, harassment, intentional infliction of emotional distress, and discrimination. Brown is a homosexual inmate that was sexually assaulted by his cellmate. On 3/9/18 Co Weaver & Co Smith came to Brown door for showers. Brown asserted his concerns and showed them a note in which was a death threat from one of Brown's attackers. Brown asserted Brown will be killed or attack if you would not tell him. Brown also asserted that the other that sexually assaulted him was next door and he would rather shower on his block. Nevertheless Brown was taken to the block and through his attacker's door. On the way Brown was subject to death threats from a inmate. Inmate's name Miller & a inmate in the cell next slide. Once Brown got to the shower block, his guards started to threaten Brown. "We are going to kill you. Any time you're in the cell you'll be sent out in a body bag. You fucking fat. Inmate Allen then asked Brown if he liked when he heard he fucked him in the past? Co Smith then started to call Brown names. Gaymen. They are talking to violent."

B. List actions taken and staff you have contacted, before submitting this grievance.

While laughing. Don't Brown shower the threats continued. After the shower Brown was again called a Gayman. Brown told the Co that was not his name. Nevertheless they keep calling him Gayman. Brown is shocked down for what ever the courts deem necessary.

Your grievance has been received and will be processed in accordance with DC-ADM 804.


Signature of Facility Grievance Coordinator


Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

INITIAL REVIEW RESPONSE

SCI-Huntingdon
1100 Pike St.
Huntingdon, PA 16654-1112

D1005
Exhibit Z2-6

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name:	Brown	Inmate Number:	NA6401
Facility:	Huntingdon	Unit Location:	W-Block
Grievance #:	727104	Grievance Date:	3/17/18
Decision:			
<input type="checkbox"/> Uphold Inmate <input checked="" type="checkbox"/> Grievance Denied <input type="checkbox"/> Uphold in Part/Deny in Part			
<i>It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.</i>			
Response:	Frivolous		
<p>I have received your grievance in which you allege staff made derogatory remarks towards you and allowed other inmates to do the same. I have investigated your grievance and my findings are as such: I spoke to the staff that you named in your grievance, Officer Weyant, and Officer Smith, they both deny making any such comments to you or about you. They also informed me that they could not recall who was in the shower next to you, and they do not remember any inmate yelling at you or making any comments towards you. You stated in your grievance that your alleged assaulter inmate Allen was next door to you in the shower, however his quad did not even shower that day and was not out of his cell for a shower. I feel that your allegations are all fictions.</p> <p>For the above reasons this grievance and all relief sought is denied.</p> <p><i>green</i></p>			
Signature:	<i>C. K. H. / 1005</i>		
Title:	RHU/DTU UM		
Date:	4/5/18		

cc: Superintendent
DC-15
File

Grievance Appeal To Facility Manager #727104

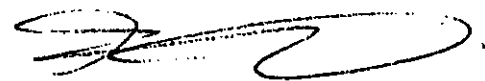
Officials are not addressing Brown's claims; at best they have showed a custom of picking apart his claim. Brown made very serious allegations pursuant to officials sexually harassing him verbally, and deliberately taking him to a shower on a different block in which Brown made them aware that he would be subject to death threats. On 3/1/18 this inmate made Co Smith and Co Wevant aware that his enemy was next door, as in the next block over. Co Wevant then gave Allen rape. They asserted we are aware of your claims. Brown then showed a note from one of Allen's gang member asserting he's going to kill Brown. Brown then told officials he would neither shower on his block & he should not be made to go to the block over where the attacker and his goons are. Brown just ignored Brown then stated the reason being Pursuant Brown being subject to death threats was because Allen and his goons was aware that Brown was cooperating with Lt. Maxwell and State Police Pursuant to his rape allegations.

One Brown got to the shower an inmate name "Killer from what looked like cell 13 or 14" asserted "this is the rat, we are going to kill you fucking rat, who are you hindering? go to Population where we can get our hands on you, you bitch ass rat, you stick bitch, your ass hole smell like shit!" that's when inmate Allen got on the door asserting "you bitch ass nigger, how close your ass hole feel?" "I had you face down ass up in here!" I noted all in your ass! Brown could have more of this doing the shower. "They will keep writing you up if you do not go to Population" They want you to go to Population so we can get our hands on you! He started to assert "I got niggers on your block they tell me everything."

Allen again asserted his man another "Allen" a black worker told him that officials told him they are conspiring to get Brown to Population so inmates can "send him out". That's why all his grievances got denied, and that's why officials never moved him from the cell when there was cellmates even though they was aware that he was being sexually assaulted. When Brown's shower was over, Allen again asserted that why they are putting Chewon tobacco with spit and other shit in your food, you fucking rat, your ass hole sucked all the cum out of my big fat black dick. That was the best feeling in the world. "It was better then fucking a white girl with a flat ass and big tits!" "You Maxwell and the State Police can go to hell!" That's when Co. Smith asserted "Gayman" they are talking to you!

Officials investigation is inadequate and discriminatory, also a clear abuse of discretion. They claim they asked officials if they was aware of those threats or if they used or harassed Brown verbally in which officials asserted in denial. Brown's claims. At no time in this report did officials allege that they used the camera to see who went to the shower with Brown, then asking that inmate if he heard anything. Brown is still claiming negligence, harassment, intentional infliction of emotional distress.

4/18/18



RECEIVED

BY:

Exhibit 24

Facility Manager's Appeal Response

SCI-Huntingdon

1100 Pike St.

Huntingdon, PA 16654-1112

D1006

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name:	GARTER BROWN	Inmate Number:	NA6401
Facility:	HUN	Unit Location:	GD-Unit
Grievance #:	727104		
Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely		
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
Response:	Frivolous		
<p>In reviewing your grievance and appeal, I note that your concern with being taken to the shower on an adjoining block in the RHU, where your alleged attacker lived, was appropriately addressed by the grievance officer. In your appeal, you claim the grievance officer mistakenly referenced your remark of "next door" as being in the "next shower" whereas you meant the adjoining block. You further claim that as you were escorted through the alleged attackers block you were harassed, called a rat, threatened, etc., by other inmates in reference to a sexual assault investigation that you were cooperating with PSP and Lt. Maxwell. You further claim Officers Smith and Weyandt called you gayman.</p> <p>A preliminary review of your PREA allegation did not reveal any substantive evidence to verify your claim at the time you reference; furthermore, your allegations were later revealed unfounded. Also due to the amount of individuals that need showered and the time constraints required to efficiently shower everyone, it is common practice to utilize the showers in the adjoining quadrant. You also claim that inmates were harassing, threatening you etc., but the officers deny they heard any such comments nor made any comments to you nor called you any names; furthermore, at no time were you in any danger as you were escorted to and from the shower.</p> <p>In closing, I can only reiterate that I uphold the response provided by the grievance officer. Your grievance is found to be without merit.</p>			
Signature:	Kevin Kauffman <i>Kevin Kauffman</i>		
Title:	Facility Manager		
Date:	5-24-18		

cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
 Effective: 12/8/2010

Attachment 2-B